

By: Toth

H.B. No. 4318

A BILL TO BE ENTITLED

AN ACT

relating to protecting parents and other individuals from criminal investigations or prosecution for refusing to affirm a child's homosexual or transgender inclinations or efforts to obtain an abortion.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 22.04, Penal Code, is amended by adding Subsection (n) to read as follows:

(n) This section may not be construed to impose criminal liability on any person for criticizing, opposing, attempting to change, or refusing to affirm, accept, accommodate, or express approval of another person's:

(1) homosexual inclinations or behavior;

(2) transgender or gender non-conforming inclinations or behavior; or

(3) efforts or decision to obtain an abortion.

SECTION 2. Section 22.04, Penal Code, is amended by adding Subsection (i) to read as follows:

(i) This section may not be construed to impose criminal liability on any person for criticizing, opposing, attempting to change, or refusing to affirm, accept, accommodate, or express approval of another person's:

(1) homosexual inclinations or behavior;

(2) transgender or gender non-conforming inclinations

1 or behavior; or

2 (3) efforts or decision to obtain an abortion.

3 SECTION 3. If any provision of this Act or its application  
4 to any person or circumstance is held invalid, the invalidity does  
5 not affect other provisions or applications of this Act that can be  
6 given effect without the invalid provision or application, and to  
7 this end the provisions of this Act are declared to be severable.

8 SECTION 4. This Act takes effect September 1, 2025.