

1-1 By: Campbell, et al. S.B. No. 33  
 1-2 (In the Senate - Filed March 14, 2025; March 17, 2025, read  
 1-3 first time and referred to Committee on State Affairs;  
 1-4 April 7, 2025, reported favorably by the following vote: Yeas 9,  
 1-5 Nays 0; April 7, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16			X	
1-17	X			
1-18			X	

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to certain prohibited transactions and logistical support  
 1-22 between a governmental entity and an abortion assistance entity or  
 1-23 abortion provider for the procurement of an abortion or related  
 1-24 services.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 2273.001, Government Code, is amended by  
 1-27 adding Subdivision (1-a) and amending Subdivision (2) to read as  
 1-28 follows:

1-29 (1-a) "Abortion assistance entity" means a person that  
 1-30 procures or facilitates a woman's procurement of an abortion by  
 1-31 engaging in any of the following acts:

1-32 (A) offering or providing money to pay for,  
 1-33 reimburse, or offset the costs of obtaining an abortion or the costs  
 1-34 incurred by or associated with seeking an abortion, regardless of  
 1-35 the location at which the abortion occurs;

1-36 (B) paying for, planning, or executing plans for  
 1-37 travel accommodations, including transportation, meals, or  
 1-38 lodging, with the intent of facilitating the procurement of an  
 1-39 abortion, regardless of the location at which the abortion occurs;

1-40 (C) offering, providing, or paying for any type  
 1-41 of service or logistical support, including child care or abortion  
 1-42 doula services, to facilitate the procurement of an abortion; or

1-43 (D) collecting or distributing an  
 1-44 abortion-inducing drug, as that term is defined by Section 171.061,  
 1-45 Health and Safety Code, to increase access to those drugs.

1-46 (2) "Abortion provider" means a person who performs or  
 1-47 induces an abortion [+]

1-48 ~~[(A) a facility licensed under Chapter 245,~~  
 1-49 ~~Health and Safety Code, or~~

1-50 ~~[(B) an ambulatory surgical center licensed~~  
 1-51 ~~under Chapter 243, Health and Safety Code, that is used to perform~~  
 1-52 ~~more than 50 abortions in any 12-month period].~~

1-53 SECTION 2. Section 2273.003(a), Government Code, is amended  
 1-54 to read as follows:

1-55 (a) Except as provided by Subsection (b), a governmental  
 1-56 entity may not enter into a taxpayer resource transaction with an  
 1-57 abortion provider, ~~or~~ an affiliate of an abortion provider, or an  
 1-58 abortion assistance entity.

1-59 SECTION 3. Chapter 2273, Government Code, is amended by  
 1-60 adding Section 2273.0031 to read as follows:

1-61 Sec. 2273.0031. LOGISTICAL SUPPORT PROHIBITED. (a) Except

2-1 as provided by Subsection (b), a governmental entity may not enter  
2-2 into a taxpayer resource transaction or appropriate or spend money  
2-3 to provide to any person logistical support for the express purpose  
2-4 of assisting a woman with procuring an abortion or the services of  
2-5 an abortion provider. Logistical support includes providing money  
2-6 for:

- 2-7 (1) child care;
- 2-8 (2) travel or any form of transportation to or from an  
2-9 abortion provider;
- 2-10 (3) lodging;
- 2-11 (4) food or food preparation;
- 2-12 (5) counseling that encourages a woman to have an  
2-13 abortion; and
- 2-14 (6) any other service that facilitates the provision  
2-15 of an abortion.

2-16 (b) This section does not apply to a taxpayer resource  
2-17 transaction entered into or money appropriated or spent by a  
2-18 governmental entity that is subject to a federal law in conflict  
2-19 with Subsection (a) as determined by the executive commissioner of  
2-20 the Health and Human Services Commission and confirmed in writing  
2-21 by the attorney general.

2-22 SECTION 4. Section 2273.004, Government Code, is amended to  
2-23 read as follows:

2-24 Sec. 2273.004. CIVIL REMEDY [~~INJUNCTION~~]; WAIVER OF  
2-25 IMMUNITY. (a) The attorney general, a resident of this state, or  
2-26 an individual residing within a political subdivision of this state  
2-27 may bring an action against any party to the actual or proposed  
2-28 prohibited transaction, appropriation, or expenditure, as  
2-29 applicable, of a governmental entity that violates or is seeking to  
2-30 violate Section 2273.003 or 2273.0031 and is entitled to recover in  
2-31 the action:

- 2-32 (1) declaratory relief;
- 2-33 (2) injunctive relief that terminates and reimburses  
2-34 any value conferred by the prohibited transaction, appropriation,  
2-35 or expenditure and enjoins the party from entering into a  
2-36 prohibited transaction, appropriation, or expenditure in the  
2-37 future;
- 2-38 (3) court costs; and
- 2-39 (4) reasonable attorney's fees [~~in the name of the~~  
2-40 ~~state to enjoin a violation of Section 2273.003. The attorney~~  
2-41 ~~general may recover reasonable attorney's fees and costs incurred~~  
2-42 ~~in bringing an action under this subsection].~~

2-43 (b) Sovereign or governmental immunity, as applicable, of a  
2-44 governmental entity to suit and from liability is waived and  
2-45 abolished to the extent of liability created by Subsection (a).

2-46 (c) Notwithstanding any other law:

- 2-47 (1) a court may not award costs or attorney's fees  
2-48 under Rule 91a, Texas Rules of Civil Procedure, or under another  
2-49 rule the supreme court adopts under Section 22.004(g) to any  
2-50 defendant against whom an action is brought under this section; and
- 2-51 (2) Chapters 27 and 110, Civil Practice and Remedies  
2-52 Code, do not apply to an action brought under this section.

2-53 SECTION 5. It is the intent of the legislature that every  
2-54 provision, section, subsection, sentence, clause, phrase, or word  
2-55 in this Act, and every application of the provisions in this Act to  
2-56 each person or entity, is severable from each other. If any  
2-57 application of any provision in this Act to any person, group of  
2-58 persons, or circumstances is found by a court to be invalid for any  
2-59 reason, the remaining applications of that provision to all other  
2-60 persons and circumstances shall be severed and may not be affected.

2-61 SECTION 6. This Act takes effect September 1, 2025.

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