

By: Menéndez

S.B. No. 1684

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of limited service pregnancy resource centers; creating a criminal offense; providing a civil penalty.

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

SECTION 1. Subtitle H, Title 2, Health and Safety Code, is amended by adding Chapter 174 to read as follows:

CHAPTER 174. LIMITED SERVICE PREGNANCY RESOURCE CENTERS

Sec. 174.001. DEFINITIONS. In this chapter:

(1) "Advertise" means to offer goods or services to the public regardless of whether the goods or services are offered for payment or result in a profit.

(2) "Comprehensive birth control services" means the provision of any oral contraceptive or health care device the United States Food and Drug Administration has approved for birth control.

(3) "Limited service pregnancy resource center" means an organization, including a pregnancy counseling organization or crisis pregnancy center, whether for profit or nonprofit, that provides pregnancy counseling or information but does not perform abortions or provide referrals for abortion or comprehensive birth control services. The term does not include a licensed health care provider, hospital, or family planning clinic that performs abortions, provides contraception, or provides abortion or contraception referrals.

1 (4) "Pregnancy-related health care service" means a
2 health care service a health care provider licensed in this state
3 provides to a pregnant woman.

4 Sec. 174.002. LICENSE DISCLOSURE. Before providing a good
5 or service to a consumer, a limited service pregnancy resource
6 center shall provide a written disclosure to the consumer on
7 whether the center:

8 (1) is a licensed health care facility; and

9 (2) has on site a licensed health care practitioner.

10 Sec. 174.003. PROHIBITED ADVERTISING. (a) A person may not
11 advertise with the intent to deceptively imply the person is a
12 provider of pregnancy-related health care services unless the
13 person is a health care provider licensed in this state and
14 authorized by law to provide pregnancy-related health care
15 services.

16 (b) A person may not advertise a limited service pregnancy
17 resource center or an organization that refers women to limited
18 service pregnancy resource centers unless the person includes the
19 following disclaimer in the advertisement: "This center does not
20 perform abortions or provide referrals to abortion providers. This
21 center does not provide oral contraceptives or birth control
22 devices or provide referrals to providers of oral contraceptives or
23 birth control devices approved by the United States Food and Drug
24 Administration."

25 Sec. 174.004. REQUIRED NOTICES. (a) A limited service
26 pregnancy resource center shall prominently display, at the
27 entrance of the center, a sign with the following statement: "This

1 center does not perform abortions or provide referrals to abortion
2 providers. This center does not provide oral contraceptives or
3 birth control devices or provide referrals to providers of oral
4 contraceptives or birth control devices approved by the United
5 States Food and Drug Administration."

6 (b) A limited service pregnancy resource center that is not
7 a licensed health care facility and does not have a licensed health
8 care practitioner on site shall include the following statement on
9 the sign described by Subsection (a): "This center is not a health
10 care facility licensed by Texas and does not have on site a licensed
11 health care practitioner who provides or directly supervises the
12 provision of health care services."

13 (c) Each sign required under Subsection (a) must be at least
14 8-1/2 by 11 inches in size and clearly legible from outside the
15 center. The text for the sign must be in at least 48-point font
16 size.

17 (d) A limited service pregnancy resource center must post a
18 sign described by Subsection (a) in each language spoken by 10
19 percent or more of the residents of this state as determined by the
20 most recent federal decennial census.

21 Sec. 174.005. CIVIL AND CRIMINAL PENALTIES. (a) A person
22 commits an offense if the person violates this chapter. An offense
23 under this subsection is a Class A misdemeanor.

24 (b) A person who intentionally violates this chapter is
25 liable for a civil penalty in an amount not to exceed \$10,000 for
26 each violation. The amount must be based on:

27 (1) the seriousness of the violation;

1 (2) the history of previous violations;

2 (3) the amount necessary to deter a future violation;

3 and

4 (4) any other matter that justice may require.

5 (c) The attorney general or a district or county attorney of
6 the county in which the violation is alleged to have occurred may
7 bring an action to collect a civil penalty under this section. In
8 the action, the attorney general or a district or county attorney
9 may recover reasonable expenses incurred in obtaining the penalty,
10 including investigation and court costs and reasonable attorney's
11 fees.

12 (d) A separate civil penalty may be collected for each day a
13 continuing violation occurs.

14 (e) The penalties provided by this section are in addition
15 to any other penalty provided by law, including Chapter 17,
16 Business & Commerce Code, and Chapter 165, Occupations Code.

17 SECTION 2. This Act takes effect September 1, 2025.