By: Money H.B. No. 575

A BILL TO BE ENTITLED

AN ACT

relating to the protection of an unborn child's rights and criminal liability and justification for prohibited conduct.

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

SECTION 1. Acknowledging the sanctity of innocent human life created in the image of God, the purposes of this Act are to:

(1) follow the United States Constitution, which provides that "[n]o State shall . . . deny to any person within its jurisdiction the equal protection of the laws";

(2) protect the lives of preborn children with the same criminal and civil laws protecting the lives of human beings born alive by repealing laws that permit wilful prenatal homicide and assault;

(3) repeal laws that could be interpreted as allowing a person to pressure a pregnant mother to obtain an abortion; and

(4) secure the right to life and equal protection of the laws for all preborn children from the moment of fertilization and to protect pregnant mothers.

SECTION 2. Section 1.07(a)(26), Penal Code, is amended to read as follows:

(26) "Individual" means a human being who is alive, including an unborn child at every stage of development [~~gestation~~] from fertilization until birth.

SECTION 3. Chapter 19, Penal Code, is amended by adding

Section 19.07 to read as follows:

Sec. 19.07. APPLICABILITY OF CHAPTER TO UNBORN VICTIMS. (a) The provisions of this chapter apply equally to an offense committed against any victim, regardless of whether the victim is an unborn child or an individual who was born alive.

(b) The provisions of this chapter do not apply to the unintentional injury or death of an unborn child resulting from:

(1) lifesaving procedures undertaken to save the life of a pregnant mother when accompanied by reasonable and available steps to save the life of the mother's unborn child; or

(2) a spontaneous miscarriage.

SECTION 4. Chapter 22, Penal Code, is amended by adding Section 22.13 to read as follows:

Sec. 22.13. APPLICABILITY OF CHAPTER TO UNBORN VICTIMS. (a) The provisions of this chapter apply equally to an offense committed against any victim, regardless of whether the victim is an unborn child or an individual who was born alive.

(b) The provisions of this chapter do not apply to the unintentional injury or death of an unborn child resulting from:

(1) lifesaving procedures undertaken to save the life of a pregnant mother when accompanied by reasonable and available steps to save the life of the mother's unborn child; or

(2) a spontaneous miscarriage.

SECTION 5. Section 71.003, Civil Practice and Remedies Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) This subchapter does not apply to the unintentional injury or death of an unborn child resulting from:

(1) lifesaving procedures undertaken to save the life of a pregnant mother when accompanied by reasonable and available steps to save the life of the mother's unborn child; or

(2) a spontaneous miscarriage.

SECTION 6. The following provisions are repealed:

(1) Section 71.003(c), Civil Practice and Remedies Code;

(2) Section 19.06, Penal Code; and

(3) Section 22.12, Penal Code.

SECTION 7. (a) The changes in law made by this Act to the Penal Code apply only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense is committed before the effective date of this Act if any element of the offense occurs before the effective date.

(b) Except as otherwise provided by Subsection (c) of this section, Section 71.003, Civil Practice and Remedies Code, as amended by this Act, applies only to conduct that occurs on or after the effective date of this Act. Conduct that occurs before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

(c) The repeal by this Act of Section 71.003(c), Civil Practice and Remedies Code, applies only to a cause of action that accrues on or after the effective date of this Act. A cause of

action that accrues before the effective date of this Act is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 8. This Act takes effect September 1, 2027.