

# Pro-Life Accomplishments of the 87<sup>th</sup> Texas Legislature in 2021

The Texas Legislature accomplished a landmark session on the life issue. Under the leadership of **Gov. Greg Abbott**, **Lt. Gov. Dan Patrick**, and **Speaker Dade Phelan**, the Legislature passed several major pro-life bills, increased funding for the state's Alternatives to Abortion program, continued numerous other pro-life provisions in the General Appropriations Act, the state's two-year budget, and defeated attempts to remove protections for terminally ill patients.



## 1. Established complete legal protection for unborn children from abortion for the first time since 1973.

A. Passed the Human Life Protection Act (HB 1280 by Rep. Giovanni Capriglione / Sen. Angela Paxton) to completely ban abortion beginning at conception (fertilization) when and to the extent the Supreme Court overturns *Roe v. Wade* and *Planned Parenthood v. Casey*.

NOTE: In its 2021 term, the Supreme Court will consider “whether all pre-viability prohibitions on elective abortions are unconstitutional.” The Court could completely or partly

overturn *Roe* and *Casey* and allow HB 1280 to go into effect.



B. Passed the Texas Heartbeat Act (SB 8 by Sen. Bryan Hughes / Rep. Shelby Slawson) to ban abortion as early as six weeks beginning September 1, 2021.

**2. Passed a Pro-Life State Budget (SB 1 by Sen. Jane Nelson / Rep. Greg Bonnen).**

A. Increased funding for the state's Alternatives to Abortion (A2A) program to \$100 million in the state budget (SB 1) a 25% increase over the previous two-year budget with the goal of serving 150,000 unique clients per year.

B. Continued defunding Planned Parenthood and other abortion providers from state funds.

- State money may not be distributed to abortion providers and affiliates. (Article IX, Sec. 6.24).
- No direct or indirect funding of abortion and no funding to entities that provide abortions using funds appropriated to Medicaid Family Planning, the Healthy Texas Women

Program, and the Family Planning Program (HHSC Rider 62).

- Funding for family planning instruction may not be used for materials from entities that performs elective abortions and their affiliates (HHSC Rider 63).
- Family planning program funds are prioritized to entities that provide “comprehensive primary and preventative care” (which Planned Parenthood does not offer) (HHSC Rider 67(c)).

### C. Numerous Other Pro-Life Provisions in SB 1.



- Health and human services contractors must comply with all child abuse reporting guidelines and requirements in state law (Article II, Sec. 23).
- Sexuality education spending is limited to programs that comply with each of the components of the abstinence education program under § 510(b)(2) of the Social Security Act (42 U.S.C. §710(b)) (HHSC Rider 61).
- No state funds may be dispensed for prescription drugs without parental consent (HHSC Rider 67).
- More than \$1.6 million is appropriated the Texas Heart Institute Adult Stem Cell Program per year (Article III, Strategy C.1.1).

### **3. Protected children from harmful sexuality instruction (HB 1525 by Rep. Dan Huberty / Sen. Larry Taylor).**



- Required that the School Health Advisory Council (SHAC) meetings be open and accessible to the public.
- Each local school district must adopt a policy that ensures transparency for the adoption of curriculum materials for the school district's human sexuality instruction.
- Each local school district must:
  - Give a detailed written description of the district's materials before each school year and
  - Obtain the written consent of the student's parent before a student may be provided with human sexuality instruction.

### **4. Ensured that terminally ill patients are continued to be protected from medical torture.**

- Defeated two bills that would have removed key protections for terminally ill patients in the dispute resolution process in the Texas Advance Directives Act (Chap. 166, Health and Safety Code) and require medical interventions indefinitely that merely prolong death while causing pain and suffering disproportionate to any reasonable benefit.

## Second Called Special Session

### 5. Banned mail-order abortions and established safety protocols for chemical abortions (SB 4 by Sen. Eddie Lucio Jr. / Rep. Stephanie Klick).



- Banned distributing abortion-inducing drugs by mail or any other method except in-person by the physician, with felony penalties.
- Established safety protocols for chemical abortions (RU-486 abortions) at abortion facilities.
- Limited the use of chemical abortions with RU-486 to seven weeks of gestation (LMP).

