

SUBJECT: Implementing a standard definition of abortion

COMMITTEE: State Affairs — committee substitute recommended

VOTE: 12 ayes — Cook, Giddings, Craddick, Farrar, Geren, Guillen, K. King, Kuempel, Meyer, Oliveira, E. Rodriguez, Smithee

0 nays

1 absent — Paddie

WITNESSES: For — Emily Ponte, Foundation for Life; Jennifer Allmon, The Texas Catholic Conference of Bishops; Kyleen Wright, Texans for Life; (*Registered, but did not testify*: Herman Jadloski, Life Advocates, Foundation for Life; Judy Vatterott, Life Advocates; Jenny Andrews, Deirdre Cooper, Joe Pojman, and Elisabeth Wheatley Texas Alliance for Life; Kathryn Freeman, Texas Baptists Christian Life Commission; Linda Townsend, Texas Catholic Health Association; Dana Blanton)

Against — None

On — Andy Prior, Equal Protection for Posterity; (*Registered, but did not testify*: Jonathan Huss, Department of State Health Services; Alexa Garcia-Ditta)

BACKGROUND: State law contains different definitions of abortion. Interested observers say the variety of definitions create confusion and that state law would benefit from uniformity in the definition of abortion.

DIGEST: CSHB 3771 would adopt a new definition of abortion under Health and Safety Code, sec. 245.002(1) relating to licensing of abortion facilities. It would apply that definition in place of existing definitions in other parts of the Health and Safety Code and the Family Code.

The bill would define abortion as:

the act of using or prescribing an instrument, a drug, a medicine, or any other substance, device, or means with the intent to terminate a clinically diagnosable intrauterine pregnancy of a woman, including the elimination of one or more unborn children in a multi-fetal pregnancy, and with knowledge that the termination by those means will, with reasonable likelihood, cause the death of the woman's unborn child. An act is not an abortion if the act is done with the intent to:

- save the life or preserve the health of an unborn child;
- remove a dead, unborn child whose death was caused by spontaneous abortion; or
- remove an ectopic pregnancy.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2017.