



## 2019 Faith & Family Scorecard Bills Considered

The following is a brief summary of the bills from the 86th Texas Legislative Session that were used to compile our 2019 Faith & Family Scorecard.

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### HOUSE

***HB 1 Amendment No. 48 Government Reporting Overreach on Immunizations by Rep. Beckley***

Amendment 48 funds a study for vaccination coverage levels and vaccination compliance with new and existing vaccination requirements of children enrolled at and attending a licensed child care facility or registered family home. The amendment allows government overreach into private childcare facilities and may violate parental rights.

HB 1 Amendment 48 was adopted by the House in the House version of HB 1. The amendment language is not in the final bill.

***HB 1 Amendment No. 54, Reduce Alternatives to Abortion Program by Rep. Turner, C.***

Amendment 54 would reduce the Health and Human Services Commission's Alternatives to Abortion program by the amount of \$10,000,000.

Amendment 54 failed on the House floor.

***HB 1 Amendment No. 270 Reduce Abstinence Education & Alternatives to Abortion Program by Rep. Howard***

Amendment 270 would defund the Alternatives to Abortion program and defund Abstinence Education funding.

\*Amendment 270 was adopted into Article XI. The amendment language was not adopted in final budget. Nonrecord vote (p.1149 in journal) was scored.

***HB 16 Born Alive Infant Protection Act by Rep. Leach***

HB 16 protects the life of babies who are born alive after surviving an abortion attempt. Under this bill, doctors must perform the same level of care to babies who survive an abortion as they would to any other baby being born.

HB 16 was signed into law.

***HB 16 - House Concurs in the Senate Amendments, Born Alive Infant Protection Act***

Senate amendments ensure if a child survives an attempted abortion, doctors and health care providers must perform the same degree of professional care as the doctor would perform to any other child of the same gestational age.

The House adopted the Senate amendments.

**HB 2271 Choose Life License Plate Advertisement Funds by Rep. Lang**

HB 2271 allows for the Attorney General to use limited funds to advertise for Choose Life account grants. Choose Life account grants provide resources for women choosing adoption. The grants are funded through the purchase of pro-life license plates.

HB 2271 was signed into law.

**HB 2100 Free Speech on Campus by Rep. Cain**

HB 2100 sought to ensure that the right to free expression is protected while on campus. The bill would ensure that universities adhere to reasonable time, place, and manner restrictions and that common outdoor areas may be used as public forums. Universities would be required to ensure all student groups have equal opportunities. Universities would also be required to make reasonable efforts to protect the safety of the speakers.

HB 2100 passed on the House floor. HB 2100 was received by the Senate, but not referred to a committee.

**SB 18 Amendment No. 1, Protections for Invited Campus Speakers by Rep. Cain**

Amendment would prohibit any institution from disinviting speakers who have been approved to speak on campus and invited to speak on campus by a student organization.

Amendment 1 was adopted in the House, but was removed in the Conference Committee Report.

**SB 18 Free Speech on Campus by Sen. Huffman**

SB 18 will protect the free speech rights of students on college campuses. Colleges and universities will be prohibited from taking action against student organizations based on viewpoints shared among the group's members. The bill ensures colleges comply with reasonable time, place, and manner restrictions as supported by the First Amendment.

The bill was signed into law.

**SB 22 House Floor Motion to Table Government Loophole Amendment No. 5, Rep. Anchia**

Amendment 5 would have created a loophole to allow taxpayer lobbying by government officials for the interest of abortion providers and their affiliates.

The motion to table passed and the amendment failed on the House floor.

**SB 22 - House Floor Motion to Table Exemption of Large Counties Amendment No. 9, Rep. Beckley**

Amendment 9 would have exempted counties from the law that had more than 650,000 residents and are adjacent to other counties with more than 1.8 million residents.

The motion to table passed and the amendment failed on the House floor.

**SB 22 - House Floor Motion to Table Sex Education Exemption Amendment No. 12, Rep. Talarico**

Amendment 12 would have excluded certain facilities that provide sex education, including information intended to prevent unwanted pregnancies, regardless of facility's affiliation with abortion provider.

The motion to table passed and the amendment failed.

***SB 22 House Floor Motion to Table Abortion Affiliate Exemption Amendment No. 14, Rep. Zweiner***

Amendment 14 would strike “affiliate of an abortion provider,” which would create a loophole for abortion affiliated provider services, like Planned Parenthood’s sex-education, to be exempt. The loophole essentially inoculates the bill.

The motion to table passed and the amendment failed.

***SB 22 House Floor Motion to Table Exemption Amendment 18, Rep. Ramos***

Amendment 18 would make law not apply to cities where 10 percent or more of the population is uninsured.

The motion to table passed and the amendment failed.

***SB 22 No. 23 Protect Local Government Right to Ban Abortion, Rep. Stickland***

Amendment 23 states the bill does not restrict a municipality or county from prohibiting abortion.

The amendment was adopted.

***SB 22 Taxpayer Protection Act, Protecting Taxpayer from Subsidizing Abortion Providers & Affiliates by Sen. Campbell***

SB 22 prohibits transactions between a governmental entity and an abortion provider or affiliate of the provider such as a sale, purchase, lease, donation of money, goods, services or real property or any other transaction between a governmental entity and a private entity. For example, the bill would prohibit local governments from giving Planned Parenthood \$1 rent per year contracts in the future. Other government entities, such as public school districts, would also be prohibited from using taxpayer dollars to make transactions with abortion providers like Planned Parenthood. The bill also prohibits lobbying for abortion providers or affiliates at taxpayer expense.

The bill has been signed into law.

***SB 24 Women’s Right to Know Improvements, by Sen. Lucio***

SB 24 ensures women seeking an abortion receive informational materials about the risk of getting an abortion, information about adoption services, and information about agencies that provide free sonograms before the abortion is performed. The bill requires that the physician or designee hand this information to the woman personally.

The bill was signed into law.

***SB 1978 Amendment No. 2 House Ban the Bible Amendment by Rep. González, J., Rep. González, M., Rep. Israel, Rep. Johnson, J., Rep. Zwiener***

Amendment 2 would create a new protected class for sexual orientation and gender identity in state law and would punish Christian business owners for not affirming sexual-orientation and gender identity lifestyles.

The amendment failed on the House Floor.

***SB 1978 the Save-Chick-Fil-A Religious Freedom Act by Sen. Hughes***

SB 1978 ensures the protection of a business’s or person’s membership in, affiliation with, and support provided to a religious organization. The government will not be able to deny a contract,

loan, scholarship, grant, license, registration, or employment because of a business or an individual's support for a religious organization. For example, a municipal government could not deny Chick-Fil-A a contract to open a store in the municipal airport just because Chick-Fil-A makes donations to religious organizations like the Salvation Army and Fellowship of Christian Athletes.

The bill was signed into law.

***SB 2485 House Committee Substitute Creating Loophole for Ban the Bible Ordinances, Rep. Phelan***

The House Committee Substitute of SB 2485 created a loophole in Texas law that would have endorsed local governments to create or keep sexual orientation, gender identity ordinances, also known as Ban the Bible ordinances. The loophole opened the door for the state to allow these dangerous ordinances which have been used to punish Christian business owners for their beliefs on marriage and human sexuality.

The committee substitute was passed and sent to the House Calendars Committee.

***HB 3172 the Save-Chick-Fil-A Religious Freedom Act (House Version) by Rep. Krause***

HB 3172 would ensure the protection of a business's or person's membership in, affiliation with, and support provided to a religious organization. The government will not be able to deny a contract, loan, scholarship, grant, license, registration or employment because of a business or individual's support for a religious organization. For example, a municipal government could not deny Chick-Fil-A a contract to open a store in the municipal airport just because Chick-Fil-A gives donations to religious organizations like the Salvation Army and Fellowship of Christian Athletes.

The bill failed on the House floor due to a point of order and was returned to the House State Affairs Committee. Because of the House deadline, the bill could not be heard again on the House floor. However, the Senate version of the bill, SB 1978, was signed into law.

***HB 2827 Religious Freedom for Occupational License Holders (House Version) by Rep. King***

HB 2827 sought to protect the First Amendment rights of professional license holders. The bill ensures that no state agency that issues a license may adopt a policy that limits the obtainment of a license or the maintaining of a license because of a professional's sincerely held religious beliefs. The bill would protect counselors from losing their licenses for counseling according to biblical views on marriage and sexuality. The bill also preempts the American Bar Association (ABA) model rule that would penalize lawyers who are members of some churches.

The bill was referred to the House State Affairs Committee, but did not receive a hearing.

***HB 1035 the Free to Believe Act by Rep. Zedler***

HB 1035 is known as the Free to Believe Act. The bill is a comprehensive religious freedom bill that protects business owners, wedding vendors, counselors, medical providers, government employees and more. Specifically, individuals and businesses will be protected from being forced by the government to participate in ceremonies, services, or medical practices that violate their sincerely held religious beliefs on marriage and human sexuality.

The bill was heard in the House State Affairs Committee, but was left pending.

**HB 2302 Homeowners Religious Display Protections by Rep. Greg Bonnen**

The bill ensures a homeowner association would not be able to enforce or adopt a restrictive covenant that prohibits a property owner or resident from displaying or affixing certain religious items on the entry to the owner's or resident's dwelling.

The bill was placed on the House Calendar, but was not discussed on the House floor.

**HB 4357 Religious Freedom Protections for Counselors by Rep. Sanford**

HB 4357 sought to protect counselors from disciplinary action for counseling in accordance with sincerely held religious beliefs.

The bill was referred to the House Public Health Committee, but did not receive a hearing.

**HB 2109 Religious Freedom Protections for Magistrates by Rep. Flynn**

HB 2109 allows for those authorized to perform marriage ceremonies to be protected from being forced to perform marriage ceremonies that violate their sincerely held religious beliefs or their conscience.

The bill was heard in House Juvenile Justice Committee; however, the bill did not receive enough affirmative votes to pass.

**HB 948 Tax Exemption Extension for Religious Land by Rep. Metcalf**

HB 948 would extend the time period for which land owned by a church can be tax exempt whenever the land is being used for a new religious place of worship.

The bill was placed on the House Calendar, but was not discussed on the House floor.

**HB 1500 The Heartbeat Bill by Rep. Cain**

HB 1500 would prohibit abortions after the detection of an unborn child's heartbeat.

The bill was referred to the House Public Health Committee, but did not receive a hearing.

**HB 1929 Taxpayer Protection Act, Protecting Taxpayer from Subsidizing Abortion Providers & Affiliates (House Version) by Rep. Noble**

HB 1929 prohibits transactions between a governmental entity and an abortion provider or affiliate of the provider such as a sale, purchase, lease, donation of money, goods, services, real property, or any other transaction between a governmental entity and a private entity. For example, the bill would prohibit local governments from giving Planned Parenthood \$1 rent per year contracts. Other government entities such as schools would also be prohibited from making purchases or transactions with Planned Parenthood.

The bill was the House companion to SB 22 and was substituted in the House State Affairs Committee. SB 22 was signed into law.

**HB 2434 the Preborn Nondiscrimination Act (PreNDA) (House Version) by Rep. Schaefer**

HB 2434 ensures that a pregnant woman who receives a diagnosis of a life-threatening disability of the woman's preborn child is informed of the availability of perinatal palliative care. Under this bill, discriminatory abortions would be illegal when based on race, ethnicity, sex, probability of having Down Syndrome, or probability of having a severe disability. HB 2434 closes the fetal abnormality loophole in state law.

The bill was the House companion to SB 1033 which was substituted and passed by the House

State Affairs Committee. SB 1033 was sent to the House Calendars Committee, but was not considered for a vote.

**HB 16 *Born Alive Infant Protection Act* by Rep. Leach**

HB 16 protects the life of babies who are born alive after surviving an abortion attempt. Under this bill, doctors must preform the same level of care to babies who survive an abortion as they would to any other baby being born.

The bill was signed into law.

**HB 2892 *Conscience Protections for Healthcare Providers* by Rep. Oliverson**

HB 2892 allows for a health care professional to be excused from performing medical procedures that violate health care professionals' sincerely held religious beliefs or their conscience.

The bill was referred to the House Public Health Committee, but did not receive a hearing.

**HCR 126, *Recognizing Pornography as a Public Health Hazard*, Rep. Swanson**

HCR 126 was a resolution recognizing the serious dangers of pornography to society, specifically children, and how the issue is linked to many problems in society. The resolution also calls for the need for "education, prevention, research, and policy changes" to address the issue.

The resolution was voted unanimously out of the House Public Health Committee, but did not receive a vote in the House Calendars Committee.

**HB 244 *Ban the Bible Bill Omnibus* by Rep. Farrar**

HB 244 sought to amend the Civil Practices and Remedies Code, the Labor Code, and the Property Code to create "sexual orientation," gender identity," and "gender expression" as new protected classes in state law. The bill would punish Texans with a Class A misdemeanor and an administrative penalty of \$100 per day if there is a violation. The bill forces Texans to "support" gender transitions, and would force business owners as well as wedding vendors (photographers, cake bakers, and graphic artists) to use their artistic talents for marriage ceremonies that violate their sincerely held religious beliefs. The bill would force government contractors to endorse beliefs contrary to their religious views. The bill would also force homeless shelters, colleges, universities, and private property owners to allow biological men into women's sleeping quarters, showers, and bathrooms.

The bill was heard in House State Affairs Committee and was left pending.

**HB 517 *Ban the Bible Counseling Bill* by Sen. Israel**

HB 517 would punish counselors, marriage and family therapists, psychologists, or other mental health providers who work with people from a Christian perspective. The bill would keep children from seeking help whenever they want to receive counseling that aligns with their Christian beliefs.

The bill was heard in House Public Health Committee and left pending.

**HB 254 *Ban the Bible Bill Omnibus* by Rep. Bernal**

HB 254 sought to amend the Civil Practices and Remedies Code, the Labor Code, and the Property Code to create "sexual orientation," gender identity," and "gender expression" as new protected classes in state law. The bill would punish Texans with a Class A misdemeanor and an

administrative penalty of \$100 per day if there is a violation. The bill forces Texans to “support” gender transitions, and would force business owners as well as wedding vendors (photographers, cake bakers, and graphic artists) to use their artistic talents for marriage ceremonies that violate their sincerely held religious beliefs. The bill would force government contractors to endorse beliefs contrary to their religious views. The bill would also force homeless shelters, colleges, universities, and private property owners to allow biological men into women’s sleeping quarters, showers, and bathrooms.

The bill was referred to the House State Affairs Committee, but did not receive a hearing.

**HB 850 *Ban the Bible in Businesses* by Rep. Johnson, Eric**

HB 850 amends the Labor Code to create “sexual orientation”, “gender identity and “gender expression” protected classes. The bill would force Christian businesses to pay for same-sex benefits and allow men into women’s restrooms and changing rooms.

The bill was heard in House Business and Industry Committee, but was left pending.

**HB 978 *Attack on Families Ban the Bible Bill* by Rep. Beckley**

HB 978 sought to eliminate the words “man” and “woman” throughout the Family Code. The bill also wanted to eliminate the words “husband” and “wife” when discussing marriage, and “father” when discussing parents.

The bill was heard in House Judiciary and Civil Jurisprudence Committee, but was left pending.

**HB 980 *Pro-Homosexual Conduct Bill* by Rep. Beckley**

HB 980 sought to repeal Texas law that highlights the concerns regarding homosexual conduct.

The bill was heard in Criminal Jurisprudence Committee, but was left pending.

**HB 1513 *Transgender Special Protections* by Rep. Coleman**

HB 1513 sought to amend the Criminal Code to create a protected class for gender identity or expression. The bill would add a stricter sentence for violence on a characteristic that cannot be determined at the time of the crime. The bill would initiate further laws that would make “gender identity and expression” a protected class under the law.

The bill was heard in House Criminal Jurisprudence Committee, but was left pending.

**HJR 64 *Repeal Texas Marriage Amendment* by Rep. Beckley**

The resolution would repeal the Texas Constitutional Amendment defining marriage as being between one man and one woman.

The resolution was heard in House Judiciary and Civil Jurisprudence Committee, but was left pending.

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## SENATE

### ***SB 17 Religious Freedom Protections for Occupational License Holders by Sen. Perry***

SB 17 sought to protect the First Amendment rights of professional license holders. The bill ensures that no state agency that issues a license may adopt a policy that limits the obtainment of a license or the maintaining of a license because of a professional's sincerely held religious beliefs. The bill would protect counselors from losing their license for counseling according to biblical views on marriage and sexuality. The bill also preempts the American Bar Association (ABA) model rule that would penalize lawyers who are members of churches.

The bill passed on the Senate floor, but did not receive a hearing in the House State Affairs Committee.

### ***SB 17 Amendment 2 Ban the Bible SOGI Amendment by Sen. Menéndez***

Amendment 2 would force license holders to participate in activities or support viewpoints associated with sexual orientation and gender identity, even if the activities or viewpoints violate their sincerely held religious beliefs.

The amendment failed on the Senate floor.

### ***SB 17 Amendment 3 Forced Government Reporting by Sen. Rodríguez***

Amendment would require license holders who abstain from activities or medical procedures (like performing an abortion) based on their religious beliefs to report themselves to a state agency and disclose the contact information of the patient who requested the service.

The amendment failed on the Senate floor.

### ***Motion to Table SB 22 Amendment 1 Exceptions to the Bill, Sen Menéndez***

Amendment 1 would allow taxpayer dollars to subsidize contraceptives and sex-education from abortion providers and their affiliates.

The motion to table prevailed and the amendment failed on the Senate floor.

### ***SB 22 Amendment 2 Weakening Bill by Sen. Rodríguez***

Amendment 2 creates a loophole to subsidize abortion providers and affiliates during a "public health emergency."

The amendment failed on the Senate floor.

### ***Motion to Table SB 23 Amendment 1, Weaken the Enforcement of the Bill by Sen. Rodríguez***

Amendment 1 would change the punishment for killing a living child who survives an abortion from a criminal penalty to an administrative penalty with the Texas Medical Board.

The motion to table prevailed and the amendment failed on the Senate floor.

### ***SB 23 Born Alive Infant Protection Act (Senate Version) by Sen. Kolkhorst***

SB 23 protects the life of babies who are born alive after surviving an abortion attempt. Under this bill, doctors must perform the same level of care to babies who survive an abortion as they would to any other baby being born.

The bill was substituted for HB 16. HB 16 was signed into law.

**SB 784 SHAC Transparency Regarding Human Sexuality by Sen. Hughes**

The bill would create transparency within a School Health Advisory Council (SHAC). The bill would ensure members of the SHAC are appointed by the local school board. The bill requires that SHAC meeting minutes and votes be posted online, and that there a reformed process for selecting sex education to ensure parents are more involved in the process.

The bill passed on the Senate floor. The bill was referred to the House Public Education Committee, but did not receive a hearing.

**SB 1033 the Preborn Nondiscrimination Act (PreNDA) by Sen. Hancock**

The bill ensures that a pregnant woman who receives a diagnosis of a life-threatening disability of the woman's preborn child is informed of the availability of perinatal palliative care. Under this bill, discriminatory abortions would be illegal when based on race, ethnicity, sex, probability of having Down Syndrome, or probability of having a severe disability. SB 1033 closes the fetal abnormality loophole in state law.

The bill passed in the Senate and was passed by the House State Affairs Committee. The House Calendars Committee did not vote to place the bill on the House Calendar.

**SB 1776 Founding Documents in Public Schools by Sen. Campbell**

SB 1776 would require the founding documents of the United States to be posted in school buildings. The bill would also add an elective course in public schools focusing on the founding principles of the United States.

The bill passed the Senate and the House Public Education Committee. The House Calendars Committee did not vote to place the bill on the House Calendar.

**SB 1854 SHAC Transparency Regarding Human Sexuality by Sen. Paxton**

SB 1854 would make School Health Advisory Councils (SHAC) subject to the Open Meetings Act requirements. Currently, the SHACs are not subject to the Open Meetings Act, and therefore, have been able to recommend and create dangerous sex-education for school districts to adopt.

The bill was passed in the Senate and was referred to the House Public Education, but did not receive a hearing.

**SB 2243 Counseling Before Abortions by Sen. Paxton**

SB 2243 sought to ensure an abortionist certifies that a pregnant woman seeking an abortion received free counseling prior to the abortion. The counselor would be required to inform the woman of medically accurate information, and offer the pregnant woman assistance with support services, other than abortion, including medical care, adoption services, housing, employment, and childcare.

The bill passed on the Senate floor and was referred to the House Public Health, but did not receive a hearing.

**SB 85 Religious Freedom Protections for Counselors by Sen. Hall**

SB 85 sought to protect counselors from disciplinary action for counseling in accordance with a sincerely held religious beliefs.

The bill was referred to the Senate State Affairs Committee, but did not receive a hearing.

**SB 227 Homeowners Religious Display Protections by Sen. Bettencourt**

The bill ensures homeowner associations would not be able to enforce or adopt a restrictive covenant that prohibits a property owner or resident from displaying or affixing certain religious items on the entry to the owner’s or resident’s dwelling.

The bill was referred to the Senate State Affairs Committee, but did not receive a hearing.

**SB 1009, Religious Freedom Protections for Magistrates by Sen. Birdwell**

HB 1009 allows for those authorized to perform marriage ceremonies to be protected from being forced to perform marriage ceremonies that violate their sincerely held religious beliefs or their conscience.

The bill was referred to the Senate State Affairs Committee, but did not receive a hearing.

**SB 1107 Conscience Protections for Healthcare Providers by Sen. Kolkhorst**

SB 1107 allows for a health care professional to be excused from performing medical procedures that violate health care professionals’ sincerely held religious belief or their conscience.

The bill was referred to the Senate Health and Human Services Committee, but did not receive a hearing.

**SB 151 Ban the Bible Bill Omnibus by Sen. Rodriguez, Sen. Hinojosa, Sen. Whitmire**

SB 151 sought to amend the Civil Practices and Remedies Code, the Labor Code, and the Property Code to create “sexual orientation,” gender identity,” and “gender expression” as new protected classes in state law. The bill would punish Texans with a Class A misdemeanor and an administrative penalty of \$100 per day if there is a violation. The bill forces Texans to “support” gender transitions, and would force business owners as well as wedding vendors (photographers, cake bakers, and graphic artists) to use their artistic talents for marriage ceremonies that violate their sincerely held religious beliefs. The bill would force government contractors to endorse beliefs contrary to their religious views. The bill would also force homeless shelters, colleges, universities, and private property owners to allow biological men into women’s sleeping quarters, showers, and bathrooms.

The bill was referred to the Senate State Affairs Committee, but did not receive a hearing.

**SB 2485 Amendment 1 Local SOGI protection by Sen. Watson**

Amendment 1 of SB 2485 created a loophole in Texas law that would have endorsed local governments to create or keep sexual orientation, gender identity ordinances, also known as Ban the Bible ordinances. The loophole opened the door for the state to allow these dangerous ordinances which have been used to punish Christian business owners for their beliefs on marriage and human sexuality.

The amendment failed on the Senate floor.

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