

 **News Release**

**For Immediate Release**

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TEXAS’ SONOGRAM LAW RULED CONSTITUTIONAL SIGNALING BIGGEST PRO-LIFE VICTORY THIS DECADE

U.S. Fifth Circuit Court Upholds Law Stating Sonograms Must Be Performed 24 Hours Before Abortions

**AUSTIN, Texas, January 10, 2012** – Today, Liberty Institute announced a major pro-life victory when the U.S. Court of Appeals for the Fifth Circuit declared constitutional the recently enacted Texas Sonogram Law, also known as HB 15. The Fifth Circuit’s decision overturned a controversial ruling by U.S. District Judge Sparks, which enjoined the Texas law co-authored by Senator Dan Patrick and Representative Sid Miller and was signed into law by Governor Rick Perry in May 2011. The law requires doctors and certified sonographers to perform a sonogram on women seeking an abortion at least 24 hours before the procedure.

“This is one of the most important victories in the past 10 years for informed consent for women seeking an abortion,” said Jonathan Saenz, Liberty Institute Attorney who heads the office at the Texas Capitol and provided the main legal testimony for the bill during the legislative process. “Women and unborn children in Texas are safer today because of this decision and no longer subject to the abuse of abortion doctors who deny women critical medical information.”

HB 15, which amends the 2003 Texas Woman’s Right to Know Act (“WRKA”), requires the physician “who is to perform an abortion” to perform and display a sonogram of the fetus, make audible the heart auscultation of the fetus for the woman to hear, as well as explain to her the results of each procedure and to wait 24 hours, in most cases, between these disclosures and performing the abortion.

Senator Patrick said, “I was always confident that our bill would survive any constitutional question because our goal from the beginning was to protect the woman’s right to know, protect the unborn and protect the constitution.”

Representative Sid Miller, said, “I commend the court of appeals for this just decision which confirms that women have every right to be fully informed about the abortion decision and that my fellow Texas lawmakers who supported this law stayed within the bounds of U.S. Supreme Court precedent.”

In August, on behalf of Senator Patrick and Representative Miller and in support of the law, Liberty Institute filed an amicus brief in the lawsuit seeking to strike down Texas’ new sonogram law (HB 15), which was originally scheduled to go into effect on September 1, 2011. Senator Patrick and Representative Miller were the authors of HB 15 in the Texas Senate and Texas House of Representatives, respectively. Liberty Institute argued that HB 15 is consistent with The Supreme Court and only requires the disclosure of truthful and accurate information to allow women to make informed decisions regarding their pregnancies.

Read the Fifth Circuit Court’s Opinion [here:](http://www.freemarket.org/current_cases.php?category=6&article=241)

Liberty Institute is a nonprofit legal and policy group dedicated to protecting freedoms and strengthening families. Visit [www.libertyinstitute.org](http://www.libertyinstitute.org) for more.

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