



House of Representatives

June 27, 2011

Dear Pro-Life Friends,

We are pleased to report that Senate Bill 7 today passed the House of Representatives. As we reflect on the passage of Senate Bill 7, we thought it important to take a few minutes to fill you in on what's been going on at the Capitol over the last several days. Some incomplete reports have been circulated, and we want to make sure you have the whole story. Thankfully, the story has a happy ending.

By way of background, Senate Bill 7 is a major bill dealing with healthcare costs and efficiencies. Your pro-life members of the House of Representatives amended the bill on the House floor on June 9 with three strong pro-life amendments. These amendments, plus good provisions already in the bill, made it a very good pro-life bill. Most of the pro-life measures in the bill we had already inserted in other places (in other bills, the state budget, or agency rules), but still we like to have as many vehicles as possible for these protections for the defenseless unborn.

Sadly, when Senate Bill 7 went to a House-Senate Conference Committee, one of the pro-life amendments was completely removed. And in an even more troubling move, language was added to the bill to allow the taxpayer funded abortions of children with fetal abnormalities. Here is the specific language describing the babies that could be aborted at taxpayer expense:

"[I]f the fetus has a severe and irreversible abnormality incompatible with life after birth identified by reliable diagnostic procedures."

Many pro-life House members were concerned that this wording was much too broad, so we consulted with a number of pro-life physicians from across Texas. They told us that this language could be applied to unborn children with Down Syndrome, Spina Bifida, Trisomy 13, and several other disabilities - some of which actually correct themselves during pregnancy. We knew that we could not and would not vote to allow taxpayer funded abortion of these precious children.

And the more we researched the matter the more we realized how serious it was. For example, we found a Minnesota statute that uses almost identical language ("incompatible with life after birth"), and defines it as applying to a child that is "not expected to live more than three months." (Chapter 145, Minnesota Statutes) The thought of taxpayer-funded abortions of unborn children because they are not "expected" to live more than three months is obviously offensive to us as pro-lifers, so this strengthened our resolve to fight this with all that we had.

Since we knew that SB7 was a good bill that we wanted to save, we immediately set out to remove this horrible language, hoping to restore the bill's pro-life character. Our work involved intense negotiations with pro-life members of the House and high level staff from the Governor's Office, the Lieutenant Governor's Office, the Health & Human Services Commission, the Texas Hospital Association, and many others.

We consulted experts on the House Rules to make sure this could be done in the time left in the special session without jeopardizing the bill. These experts assured us that the House Rules gave us a process to re-open SB7 and remove the offensive provision. In fact this very procedure was used in the House more than once during the just-completed session.

Throughout this process we were very thankful for our friends in the pro-life community who worked alongside us and supported us in this most critical mission. While we were not able to share all of the details of the situation with them, they agreed with us that the fetal abnormality language approved by the Conference Committee was too broad, and they trusted us to do our work here in the Legislature to solve the problem. These groups and individuals that trusted us as fellow pro-lifers, and whom we rely upon heavily during the legislative session, include: **Texas Right to Life, Cathie Adams, Jonathan Saenz and Kelly Shackelford of Liberty Institute, Dr. Joe Morrison of Montgomery County Right to Life, Dr. Mary Catharine Maxian of Health Care Professionals for Life, Texans for Life Coalition.**

By God's grace, on Thursday afternoon we reached an agreement to re-open the bill. Because so many pro-lifers inside and outside the Legislature stood together, we were able to remove the broad language on fetal abnormality that we were so concerned about, and we replaced it with clear and specific words that will protect these precious disabled babies from being aborted at government-funded hospitals. SB7 - with this pro-life language - passed the House today. Because we were able to re-open the bill and correct it, the version of SB7 with the offensive fetal abnormality language was never even voted on by the House.

So we write today to thank you and to congratulate you on another pro-life success. This was one of the most intense battles we have seen in some time, and we are so thankful to our Creator for this victory. We know that He gave us each life and we know that these precious unborn children are each known and loved by Him.

Thank you for all that you do to stand for life. Please continue to pray for us as we endeavor to speak for those who have no voice.

Sincerely,

**Representative George Lavender
House District 1**

**Representative Dan Flynn
House District 2**

**Representative Erwin Cain
House District 3**

**Representative Lance Gooden
House District 4**

**Representative Bryan Hughes
House District 5**

**Representative Leo Berman
House District 6**

**Representative Wayne Christian
House District 9**

**Representative James White
House District 12**

**Representative Tim Kleinschmidt
House District 17**

**Representative Dennis Bonnen
House District 25**

**Representative Jose Aliseda
House District 35**

**Representative Jason Isaac
House District 45**

**Representative Charles "Doc" Anderson
House District 56**

**Representative Rob Orr
House District 58**

**Representative Phil King
House District 61**

**Representative Charles Perry
House District 83**

**Representative Jodie Laubenberg
House District 89**

**Representative Bill Zedler
House District 96**

**Representative Rodney Anderson
House District 106**

**Representative Allen Fletcher
House District 130**

**Representative Dwayne Bohac
House District 138**

**Representative Debbie Riddle
House District 150**

**Representative Mike Hamilton
House District 19**

**Representative Randy Weber
House District 29**

**Representative Aaron Pena
House District 40**

**Representative Paul Workman
House District 47**

**Representative Marva Beck
House District 57**

**Representative Sid Miller
House District 59**

**Representative Ken Paxton
House District 70**

**Representative Jim Landtroop
House District 85**

**Representative Todd Smith
House District 92**

**Representative Linda Harper-Brown
House District 105**

**Representative John Garza
House District 117**

**Representative Jim Murphy
House District 133**

**Representative Ken Legler
House District 144**