AN ORDINANCE AMENDING THE CITY CODE TO ADD CHAPTER 10-10 TO REQUIRE SIGNS IN CERTAIN PREGNANCY COUNSELING FACILITIES; CREATING AN OFFENSE; AND IMPOSING A PENALTY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1: A new Chapter 10-10 of the Code is adopted to read:

CHAPTER 10-10 LIMITED SERVICE PREGNANCY CENTERS ARTICLE 1. GENERAL PROVISIONS.

§10-10-1 DEFINITIONS.

In this chapter:

- (A) "ABORTION" has the meaning set forth in Section 170.001 of the Texas Health and Safety Code.
- (B) "COMPREHENSIVE BIRTH CONTROL SERVICES" means all drugs and medical devices that have been approved by the U.S. Food and Drug Administration for birth control.
 - (C) "LIMITED SERVICE PREGNANCY CENTER" or "CENTER" means an organization or facility that:
- (i) as its primary purpose, provides pregnancy related services, such as pregnancy testing or options counseling;
 - (ii) does not provide Abortions or make referrals to Abortion providers;
- (iii) does not provide Comprehensive Birth Control Services or make referrals for Comprehensive Birth Control Services, and
- (iv) is not licensed or regulated by a state or federal regulatory entity to provide medical services.
- (D) "OWNER OR OPERATOR" means an individual or corporation that owns, C:\Documents and Settings\samudioc\Local Settings\Temporary Internet Files\OLKA\pregnancy center.doc

operates, or manages a Limited Service Pregnancy Center.

ARTICLE 2. OFFENSE.

§10-10-2 NOTICE REQUIRED.

- (A) The Owner or Operator of a Limited Service Pregnancy Center shall prominently display, outside the entrance of the Center, two black and white signs, one in English and one in Spanish, that truthfully disclose the following information:
- (i) whether the center has a licensed health care provider or practitioner directly supervising all medical services; and
- (ii) whether the center is licensed or regulated by a state or federal regulatory entity to provide medical services.
- (B) Each sign must be at least eight and one-half inches by eleven inches and the text must be in a font size of at least 48 point.

§10-3 PENALTY.

PART 2. This ordinance takes effect on

A person who violates this chapter commits an offense. An offense under this chapter is a Class C misdemeanor punishable by a fine of not less than \$250 for the first offense, not less than \$350 for a second offense, and not less than \$450 for a third offense. A culpable mental state is not required for a violation of this chapter and need not be proved.

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PASSED AND APPROVED	
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, 2012	§
	Lee Leffingwell
	Mayor
APPROVED:	ATTEST:
Karen M. Kennard	Shirley A. Gentry
City Attorney	City Clerk

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