

RESOLUTION NO.

1
2 **WHEREAS**, the Austin City Council has consistently supported the rights
3 of people capable of becoming pregnant to make choices over their own bodies,
4 reproductive health, and family planning; and

5 **WHEREAS**, Texas state law effectively prohibits health plans from
6 covering abortion care, and the Hyde Amendment currently prevents any federal
7 funding from being used for abortion services; and

8 **WHEREAS**, limiting access to abortion care disproportionately affects
9 Texans of color and low-income populations; and

10 **WHEREAS**, a 2015 University of Texas study from the school's Institute on
11 Domestic Violence and Sexual Assault (IDVSA) said more than a third of Texans
12 have experienced some form of sexual assault in their lifetime but more than 90
13 percent of sexual assault incidents are not reported to law enforcement; and

14 **WHEREAS**, State Senator Wendy Davis successfully filibustered anti-
15 abortion legislation in 2013, which was then passed in a subsequent special session
16 but was eventually overturned by the Supreme Court; and

17 **WHEREAS**, Resolution No. 20130321-045 [Morrison, Martinez, Cole]
18 declared that the Austin City Council supports and endorses the State of Texas
19 restoring full state funding of Women's Preventive Health and Family Planning
20 Services to their levels prior to the 2011 budget cuts, and that City Council
21 supports and endorses that the Department of State Health Services include only
22 unbiased, non-leading, scientifically founded information in the Women's Right to
23 Know pamphlets; and

24 **WHEREAS**, Resolution No. 20140925-082 [Martinez, Morrison, Spelman]
25 declared support for legislation that would repeal any and all provisions that were
26 passed in House Bill 2 relating to the regulation of abortion procedures, providers
27 and facilities and directed the City Manager to conduct a study analyzing the
28 impacts of HB 2 on Austinites; and

29 **WHEREAS**, Resolution No. 20141120-038, the City’s Agenda for the 84th
30 Legislative Session, declared support for restoring full state funding of Women’s
31 Preventative Health and Family Planning Services to pre-2011 budget cut levels,
32 including only unbiased, non-leading, scientifically founded information in the
33 Women’s Right to Know pamphlets provided by the Texas Department of State
34 Health Services, and supported legislation that would repeal any and all provisions
35 that were passed in HB 2 (83rd Special Session) relating to the regulation of
36 abortion procedures, providers and facilities; and

37 **WHEREAS**, Resolution No. 20151015-039, the City’s Agenda for the 84th
38 Legislative Session, declared support for any legislation that would maintain or
39 expand funding for Planned Parenthood and declared opposition to any legislation
40 that would reduce funding for Planned Parenthood or endanger access to affordable
41 health care. It also declared support for any legislation that expands funding or
42 access to a full spectrum of health services; and

43 **WHEREAS**, Resolution No. 20170126-045 named “Abortion is
44 Healthcare” [Pool, Casar, Garza, Adler, Kitchen] recognizes the 44th Anniversary
45 of Roe v. Wade and a woman’s right to make the decision to access safe and
46 affordable reproductive health care services, affirms that safe and legal abortions
47 should be affordable and accessible for all who seek it, and supports the work of
48 health care providers in Austin and Travis County facing threats and violence for

49 providing safe and legal access to reproductive health care services, including
50 abortion care; and

51 **WHEREAS**, Resolution No. 20181004-035 [Tovo, Garza, Pool, Kitchen,
52 Houston] declared “Rosie’s Resolution” to support the repeal of public and private
53 insurance bans on abortion care coverage; and

54 **WHEREAS**, a 2019 Budget Rider [Casar, Ellis, Garza, Pool] allotted
55 funding for a nonprofit organization that provides logistical support for abortion
56 care including transportation, lodging, and childcare for Austin residents seeking
57 an abortion, but does not provide abortion procedures itself; and

58 **WHEREAS**, Resolution No. 20210930-111 [Ellis, Pool, Casar, Adler,
59 Harper-Madison] directing necessary personnel resources within the Law
60 Department to investigate and pursue appropriate legal action in support of current
61 efforts to challenge the recently enacted SB 8 law, with the goal of continued
62 protection of the reproductive choice options for Austin residents who are capable
63 of becoming pregnant; and

64 **WHEREAS**, a Texas law known as SB 8 recently took effect that
65 indisputably places an undue burden on a person’s right to seek or terminate a
66 pregnancy; and

67 **WHEREAS**, SB 8 also strips individuals of their ability to challenge state
68 action that indisputably violates their constitutional rights by creating draconian
69 vigilante-style bounties that allow private citizens to bring litigation against health
70 care providers who perform abortions without demonstrating that the plaintiff is
71 harmed; and

72 **WHEREAS**, the United States Supreme Court declined to intervene and by
73 doing so allowed this law to be enacted and is likely to overturn the landmark US
74 Supreme Court case of *Roe v. Wade* in 1973; and

75 **WHEREAS**, President Joe Biden said Texans should be protected from the
76 impact of the new restrictions, and promised to look at “what steps the federal
77 government can take to ensure that women in Texas have access to safe and legal
78 abortions as protected by *Roe*”; and

79 **WHEREAS**, in defense of the rights of Texans, the United States
80 Department of Justice through Attorney General Merrick Garland, filed suit against
81 the State of Texas in an effort to “vindicate the rights of individuals” when Texas
82 infringes on rights protected by the Constitution and seeks to enjoin the “clearly
83 unconstitutional law”; **NOW, THEREFORE,**

84 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

85 The Austin City Council joins millions of voices across Texas and the
86 United States in supporting the right of people to make reproductive health
87 decisions for their own bodies, themselves, and their families.

88 **BE IT FURTHER RESOLVED:**

89 The City Manager is directed to develop the Reproductive Health Decision
90 Ordinance to prohibit employment and housing discrimination on the basis of
91 reproductive health decisions.

92

93 **BE IT FURTHER RESOLVED:**

94 The City Manager is directed to provide Council with a recommended
95 ordinance for consideration on a Council agenda by June 16, 2022.

96

97

98 **ADOPTED:** _____, 2022 **ATTEST:** _____

99 Myrna Rios
100 City Clerk
101
102

DRAFT