

The Texas Observer

OPENING THE EYES OF TEXAS SINCE 1954

And So It Begins

November 11th, 2008 at 12:28 pm

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For reporters, the first day that Texas legislators can file bills for the upcoming session is like Christmas in November.

Yesterday, the pre-filing period began for the 81st Legislature, and the bills flooded in by the hundreds. (A list of House bills is [here](#) and Senate bills [here](#).)

There's the usual collection of poorly thought out bills, funny bills, scary bills, and bills that are downright unconstitutional.

One idea already receiving media scrutiny is Rep. Frank Corte and Sen. Dan Patrick's [proposal](#) to require women seeking an abortion to first receive an ultrasound so they can see the fetus and hear its heartbeat. Corte and Patrick do stipulate in the bill that women "may avert their eyes" from the ultrasound display. (How nice of them. Presumably they ruled out the Clockwork Orange-style [eye-lid clamp](#) approach as impractical.)

Corte has another doozy of a bill that's so far received scant attention. His [House Bill 44](#) seems an attempt to dissuade women seeking emergency contraception (the morning after pill). The bill begins by defining emergency contraception as a drug that is "used postcoitally."

It requires pharmacists to first inform anyone seeking the morning after pill that the drug could prevent "implantation of a fertilized egg," (Just in case someone actually wants arthritis medicine and asked for the wrong thing.)

A pharmacy must also display a sign that's 18 by 24 inches and reads:

IF YOU BELIEVE THAT LIFE BEGINS AT FERTILIZATION — THE POINT WHERE THE SPERM AND EGG UNITE — THEN YOU NEED TO KNOW THAT EMERGENCY CONTRACEPTION MAY EITHER FUNCTION AS A CONTRACEPTIVE TO PREVENT THE EGG AND SPERM FROM UNITING OR PREVENT THE IMPLANTATION OF YOUR ALREADY FERTILIZED EGG IN YOUR WOMB. THE PHARMACIST DISPENSING THIS DRUG IS REQUIRED TO EXPLAIN TO YOU HOW THE PRODUCT MAY HELP TO PREVENT YOUR PREGNANCY.

Finally, Corte would require anyone seeking emergency contraception — after they read the sign — to show a driver's license and sign for the purchase. The pharmacy would then be required to "make a record of the transaction," including the person's name and the date. The pharmacy would have to keep the record of that sale for two years. The bill doesn't restrict access to those records.

This process could intimidate and humiliate young women trying to obtain legal medication, especially in small towns.