

SUBJECT: Allowing attorney general to advertise Choose Life account grants

COMMITTEE: Judiciary and Civil Jurisprudence — favorable, without amendment

VOTE: 5 ayes — Leach, Krause, Meyer, Smith, White

4 nays — Farrar, Y. Davis, Julie Johnson, Neave

WITNESSES: For — Joe Pojman, Texas Alliance for Life; (*Registered, but did not testify*: Girien Salazar, Christian Life Commission, Texas Baptists; Angela Smith, Fredericksburg Tea Party; James Dickey and Tanya Robertson, Republican Party of Texas; Amy O'Donnell, Texas Alliance for Life; Mary Castle, Texas Values; Nicole Hudgens and Jonathan Saenz, Texas Values Action; Jennifer Allmon, The Texas Catholic Conference of Bishops; Kathy Haigler; JoAnn Lowe)

Against — (*Registered, but did not testify*: Drucilla Tigner, ACLU of Texas; Aimee Arrambide, NARAL Pro-Choice Texas Foundation; Carisa Lopez, Texas Freedom Network; Delma Limones)

On — (*Registered, but did not testify*: Ryan Vassar, Office of the Attorney General)

BACKGROUND: Government Code sec. 402.036 governs the Choose Life account, which is administered by the attorney general and consists of money that the Texas Department of Motor Vehicles collects from issuing license plates with the words "Choose Life," as well as gifts, grants, donations, and legislative appropriations. The attorney general may use the money in the account only to make grants to certain eligible organizations and to defray the costs of administering the account.

To be eligible to receive grants, organizations must:

- be exempt from federal income taxation;
- provide counseling and material assistance to pregnant women who are considering placing their children for adoption;

- not charge for the services they provide; and
- not provide abortions or abortion-related services or make referrals to abortion providers themselves or contract with or be affiliated with organizations that do.

Eligible organizations that receive grants from the Choose Life account must use the money to provide:

- for the material needs of pregnant women who are considering placing their children for adoption, including the provision of clothing, housing, prenatal care, food, utilities, and transportation;
- for infants who are awaiting placement with adoptive parents;
- adoption training and advertising;
- pregnancy testing; or
- preadoption or postadoption counseling.

**DIGEST:** HB 2271 would allow the attorney general to use up to 2 percent of the Choose Life account's gross receipts from the previous state fiscal year to advertise that fees paid for Choose Life license plates could be used to fund Choose Life account grants to eligible organizations.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.

**SUPPORTERS SAY:** HB 2271 would allow the attorney general to increase awareness of the existing Choose Life grant system by advertising to pro-life organizations that could benefit from the grants.

In allowing the attorney general to advertise these grants, the bill could increase the number of individuals who purchased Choose Life license plates and increase the amount of money given to the grant program.

**OPPONENTS SAY:** HB 2271 would allow the attorney general to unfairly advertise one particular political viewpoint over other viewpoints.