

Please support [HB 896](#):

THE
**ABOLITION OF
ABORTION**
IN TEXAS ACT

Equal protection for all innocent Texans

Background

- Current Texas law already defines a person to include, “an unborn child at every stage of gestation from fertilization until birth.” [Penal Code \(PC\) § 1.07\(a\)\(26\) and \(38\)](#).
- [PC § 19.02](#) makes it murder to intentionally kill an unborn child. However, [PC § 19.06](#) says that such laws against murder do not apply to certain people.
- [PC § 19.06](#) exists because Texas has surrendered to a federal court ruling which violates the Texas Declaration of Independence, the Texas Constitution, the U.S. Declaration of Independence, and the U.S. Constitution, all of which affirm the duty of our government to protect the God-given right to life.
- As a result, for the last 46+ years--since the 1973 ruling by the U.S. Supreme Court in *Roe v. Wade*--unborn children in Texas have lacked protection and justice.
- In the March 2018 Republican primary, over 68% of voters supported abolishing abortion.
- In June 2018, [the Republican Party of Texas re-adopted a legislative priority](#) calling on the Texas Legislature to: **“Pass legislation to abolish abortion; including, but not limited to, enacting legislation that would ignore and refuse to enforce any and all federal statutes, regulations, executive orders, and court rulings, which would deprive an unborn child of the right to life, as well as enacting life-saving legislation such as PreNDA or a ‘heartbeat bill.’ Completely eliminate funding for Planned Parenthood and their affiliates and prohibit their physical and digital presence in our schools.”**
- [HB 896](#) answers that call by completely outlawing abortion in Texas.



End 46+ Years of Failure

- Since 1973, the primary strategy to end the evil of abortion has been to elect pro-life presidents to appoint pro-life Supreme Court justices to overturn *Roe*. However, [this strategy has not worked](#).
- History indicates that **even Republican-appointed justices are more likely than not to uphold *Roe***. In fact, five of the justices who decided in favor of *Roe* were Republican-appointed, including the author of the *Roe* opinion. Since *Roe*, the Court has remained majority Republican-appointed (except for a brief tie after the death of Justice Scalia), yet *Roe* has not been overturned.

Follow the Constitution

- Nothing in the U.S. Constitution protects a right to an abortion. Moreover, the idea of a federal judicial opinion compelling states to allow the slaughter of babies runs completely contrary to the text and principles of the Constitution. *Roe* is not only unconstitutional, it is anti-constitutional. More than that, it is evil.
- When sworn into office, you swore to the best of your ability to preserve, protect, and defend the Constitution and laws of the United States and of this State, so help you God. Outlawing abortion would comply with your oath because that oath was to our constitutions, not to a court. If a decision of a court ignores the Constitution, you are oath-bound to ignore that decision, so help you God.
- The Supreme Court’s power is not unlimited; and if the power to authorize the murder of 60,000,000+ babies over the last 46+ years is not beyond the limit of its power, what is? **Do we not have a line which, if crossed, we would say no? If not for the sake of these innocent image-bearers of God being slain by the millions, then what?**
- **Please draw a line in the sand by supporting and co-authoring HB 896.**

FAQ on back →

FREQUENTLY ASKED QUESTIONS

What about the Supremacy Clause of the U.S. Constitution? The “Supremacy Clause” of the U.S. Constitution says, “This Constitution, and the Laws of the United States which shall be made in Pursuance thereof... shall be the supreme Law of the Land...” U.S. Const. Art VI, Clause 2. *Roe* was not made “in pursuance of” the Constitution, therefore it is not the supreme law of the land and states are not bound by it.

Did President Trump appoint two new justices? Yes, but neither have made any public statement or action indicating they would vote to overturn *Roe*. Sadly, even two of the three justices appointed by President Reagan voted to affirm *Roe*; and of the six justices appointed by Republican presidents in the first three decades after *Roe*, four upheld it. At that rate, *Roe* will never be overturned. Today, only one sitting justice (Thomas) has ever publicly indicated he would vote to overturn *Roe*.

Is HB 896 promoting lawlessness? Absolutely not. To the contrary, lawlessness is the situation we have right now. As John Adams wrote, we are to be “a government of laws and not of men.” HB 896 promotes a return to the law—the Constitution—and an end to following an opinion of men which violates it. The law is king, not the Court; and the Court is subject to—not master of—that law.

As a Christian, what about Romans 13? We should obey it, but our application is different than ancient Rome. We do not live in a dictatorship. We live in a constitutional republic where we the people elect our representatives. In the United States, the Constitution is the “governing authority,” and “every soul,” including those on the Supreme Court, should be “subject” to it (under God).

Why don't we just enforce the pre-*Roe* statutes that prohibited abortions? Tex. Rev. Civ. Stat. Art. 4512.1 through 4512.4 and 4512.6 *should* be enforced until better statutes are enacted. However, they helped lead to the *Roe* decision because they did not provide equal protection. Regardless, this also requires ignoring *Roe*.

If HB 896 were enacted, wouldn't it cause chaos? Chaos is over 55,000 babies murdered a year in this state right now. Orderly murder is no virtue. Those promoting the current “orderly situation” are like those who cry “Peace, Peace,” when there is no peace (Jer. 6:14; 8:11).

What if the federal government cut funding or tried to enforce *Roe*? Now is the time to abolish abortion because we believe President Trump would respect Texas' decision to defend life. If a future administration tried to bring sanctions, there could be a cost. But is our “peace” so sweet as to be purchased at the price of permitting the massacre of these innocents? If protecting them isn't worth making sacrifices for, what is?

WHAT ABOUT INCREMENTALISM?

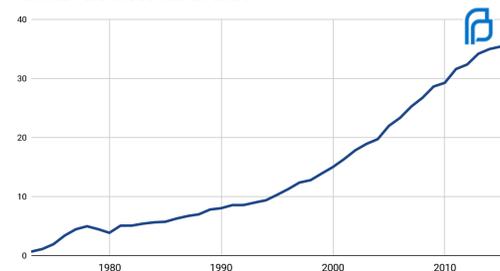
Isn't our current strategy winning? Ask this: “*Do the laws we enforce permit anyone who gets pregnant to get an abortion?*” The answer is yes. An abortionist may need to have a certain license and perpetrate the murder by a certain time, in a certain way, after giving certain information, and in a certain place, but from the moment of their conception, every person in Texas may be murdered under such laws. If that is “winning,” then we have different definitions of that word. Additionally, how is it “winning” when for most of the incrementalist bills this state passes the courts just strike them down and order us to pay the attorney's fees of the abortion industry?

HB 896 would completely outlaw abortion and Texas could refuse to appear in any federal court challenge. Alternatively, Texas could appear in court, but refuse to comply with any unconstitutional order made pursuant to *Roe* (e.g. an order to give money to the abortion industry).

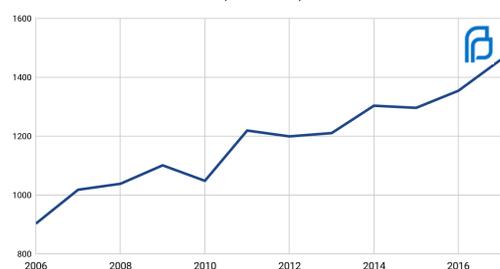
But aren't abortion numbers going down? Yes, but we believe incrementalist bills have only a small effect on this. For example, while defending the 2017 dismemberment ban in court, Texas even stated that the plaintiffs had presented no evidence that the ban “would bar a single woman in Texas from getting an abortion. Not one.” Most of the decline seems to be in spite of such legislation—abortion rates are falling across the country, including New York and California. Contraceptive use is also up, as is abortifacient birth control and emergency “contraception,” which leads to a large number of abortions going unreported.

We're beating Planned Parenthood, though, right? Sadly, the bills we keep passing end up helping eliminate their competition and boost their revenues.

Planned Parenthood Market Share



Planned Parenthood Revenue (in millions)



Ultimately, [incrementalism](#) does more harm than good.