

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

27 **WHEREAS**, Resolution No. 20130321-045 [Morrison, Martinez, Cole]
28 declared that the Austin City Council supports and endorses the State of Texas
29 restoring full state funding of Women’s Preventive Health and Family Planning
30 Services to their levels prior to the 2011 budget cuts, and that City Council
31 supports and endorses that the Department of State Health Services include only
32 unbiased, non-leading, scientifically founded information in the Women’s Right to
33 Know pamphlets.

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

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

47 **WHEREAS**, Resolution No. 20151015-039, the City’s Agenda for the 84th
48 Legislative Session, declared support for any legislation that would maintain or

49 expand funding for Planned Parenthood and declared opposition to any legislation
50 that would reduce funding for Planned Parenthood or endanger access to affordable
51 health care. It also declared support for any legislation that expands funding or
52 access to a full spectrum of health services; and

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

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

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

68 **WHEREAS**, a Texas law known as SB 8 recently took effect that
69 indisputably places an undue burden on a person’s right to seek or terminate a
70 pregnancy. The law also strips individuals of their ability to challenge state action
71 that indisputably violates their constitutional rights by creating draconian vigilante-
72 style bounties that allow private citizens to bring litigation against health care

73 providers who perform abortions without demonstrating that the plaintiff is
74 harmed; and

75 **WHEREAS**, the United States Supreme Court declined to intervene and by
76 doing so allowed this law to be enacted; and

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

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

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

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

90 **BE IT FURTHER RESOLVED:**

91 The Austin City Council stands with our local delegation who voted against
92 this legislation and denounces the actions of the state leadership of Texas for
93 enacting a law that stands in direct defiance of the constitutionally protected right
94 to privacy and so clearly goes against the sentiments of the general public; and

95 **BE IT FURTHER RESOLVED:**

96 The City Manager is directed to allocate necessary personnel resources within
97 the Law Department to investigate and pursue appropriate legal action in support
98 of current efforts to challenge the recently enacted SB 8 law, with the goal of
99 continued protection of the reproductive choice options for Austin residents who
100 are capable of becoming pregnant. This legal support may include amicus support
101 in recent state court legal actions brought by advocacy groups and reproductive
102 health providers that challenge SB 8, and amicus support in the federal lawsuit
103 filed by the Department of Justice.

104 **BE IT FURTHER RESOLVED:**

105 The City of Austin encourages private businesses in the State of Texas to
106 join us in opposition to the implementation of SB 8.

107
108 **ADOPTED:** _____, 2021 **ATTEST:** _____

109 Jannette S. Goodall

110 City Clerk
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