



For Immediate Release  
March 18, 2021

**State Representative Briscoe Cain Sends  
Cease-And-Desist Letters to Abortion Funds in Texas**

Texas abortion funds must immediately stop paying for abortions performed in Texas or face criminal prosecution, according to a cease-and-desist letter sent by a Chairman of the Texas House of Representatives.

Representative Briscoe Cain (R - Deer Park) has sent cease-and-desist letters to every abortion fund in Texas, reminding them that Texas law imposes felony criminal liability on any person who “furnishes the means for procuring an abortion knowing the purpose intended.” Violations are punishable by two to five years imprisonment, and the statute of limitations is three years. Cain warned that the employees, volunteers, and donors of abortion funds will be criminally prosecuted if they do not immediately halt their illegal acts and stop paying for abortions performed in Texas.

“These are criminal organizations,” said Cain. “It is a crime to pay for another person’s abortion in Texas, and anyone who gives money to these abortion funds will be prosecuted.”

Cain said he would introduce legislation next session that will empower district attorneys from throughout the state to prosecute violations of the state’s abortion laws when the local district attorney fails or refuses to do so. This will ensure that abortion providers and funds are prosecuted for their crimes even when they reside in counties where the local district attorney refuses to enforce the state’s abortion laws. Cain’s bill will also eliminate the three-years statute of limitations that currently applies to abortion-related crimes.

“Abortion funds think they can flout the law because a local district attorney refuses to bring charges,” said Cain. “We will fix this problem next session. Anyone involved with these abortion funds will be held accountable for their crimes.”

###



# TEXAS HOUSE *of* REPRESENTATIVES

*Briscoe Cain*  
District 128

CHAIR, HOUSE COMMITTEE ON ELECTIONS  
MEMBER, HOUSE COMMITTEE ON BUSINESS & INDUSTRY

March 18, 2022

Amanda Beatriz Williams  
Executive Director  
The Lilith Fund for Reproductive Equity  
Post Office Box 684949  
Austin, Texas 78768

Dear Ms. Williams:

The law of Texas imposes felony criminal liability on any person who “furnishes the means for procuring an abortion knowing the purpose intended.” West’s Texas Civil Statutes, article 4512.2 (1974).<sup>1</sup> Violations of article 4512.2 are punishable by two to five years imprisonment for each abortion that was paid for, and the statute of limitations is three years. The only exception is for abortions “procured or attempted by medical advice for the purpose of saving the life of the mother.” West’s Texas Civil Statutes, article 4512.6 (1974). The State of Texas has never repealed this statute, and the legislature re-affirmed the continuing vitality of article 4512.2 last session when it enacted Senate Bill 8. *See* Senate Bill 8, 87th Leg., § 2.

You and your organization are violating this criminal statutory prohibition by paying for other people’s abortions—even when those abortions are purely elective and are not performed for the purpose of saving the mother’s life. Your organization even boasts about its violations of article 4512.2 on its website and openly solicits funds for these criminal activities.<sup>2</sup>

It appears that you are unaware that article 4512.2 continues to exist as the law of Texas. And you likewise appear unaware that your organization is committing criminal acts that are exposing everyone involved in your organization—including your employees, volunteers, and donors—to criminal prosecution and imprisonment. *Roe v. Wade*, 410 U.S. 113 (1973), is no defense to your violations of article 4512.2 because abortion funds (and those who donate to those funds) lack standing to assert the third-party rights of women seeking abortions as a defense to criminal prosecution. *See Kowalski v. Tesmer*, 543 U.S. 125, 129 (2004) (“A party ‘generally must assert his own legal rights and interests, and cannot rest his claim to relief on

1. The full text of the statute says: “Whoever furnishes the means for procuring an abortion knowing the purpose intended is guilty as an accomplice.” West’s Texas Civil Statutes, article 4512.2 (1974). A copy of the statute is attached to this letter.
2. *See* <https://www.lilithfund.org/portfolio/about> (“We provide financial assistance and emotional support while building community spaces for people who need abortions in Texas—unapologetically, with compassion and conviction.”) (last visited on March 17, 2022).



the legal rights or interests of third parties.” (citation omitted)).<sup>3</sup> And in all events, a woman seeking an abortion has no constitutional right to have other people pay for it, *see Harris v. McRae*, 448 U.S. 297, 325 (1980), so no abortion patient will suffer an “undue burden” if abortion funds and their donors are prosecuted and imprisoned for violating article 4512.2.<sup>4</sup> There is also no constitutional right to perform or pay for another person’s abortion; that is why abortion providers who challenge abortion regulations must invoke the third-party rights of their patients rather than assert their own constitutional rights. *See, e.g., Planned Parenthood of Greater Ohio v. Hodges*, 917 F.3d 908, 912 (6th Cir. 2019) (en banc) (“The Supreme Court has never identified a freestanding right to perform abortions. To the contrary, it has indicated that there is no such thing.”). Nor will the abortionist’s immunity from prosecution on account of *Roe* preclude the imposition of accomplice liability on abortion funds and others who violate section 4512.2. *See* Tex. Penal Code § 7.03(2).

You and your organization must immediately cease and desist all activities that aid or abet elective abortions performed in Texas. This includes paying for elective abortions, defraying or reimbursing the costs or expenses of such abortions, and engaging in any conduct that would make one an accomplice to an elective abortion under section 7.02 of the Texas Penal Code. The only abortions that your organization may pay for or assist are abortions “procured or attempted by medical advice for the purpose of saving the life of the mother.” West’s Texas Civil Statutes, article 4512.6 (1974).

If you do not immediately halt your criminal activities, then I will introduce legislation next session that will empower district attorneys from throughout the state to prosecute abortion-related crimes—including violations of article 4512.2 of the Revised Civil Statutes—when the local district attorney fails or refuses to do so. The bill will also eliminate the three-year statute of limitations that currently applies to violations of article 4512.2. The state of Texas

3. The Supreme Court has allowed abortion doctors and abortion providers to assert the third-party rights of abortion patients, but no court has ever held that an abortion fund (or a donor to such a fund) has the necessary “close relation” needed to establish third-party standing. *See, e.g., Singleton v. Wulff*, 428 U.S. 106, 117 (1976) (plurality opinion) (allowing *physicians* to assert third-party rights of their patients seeking abortions on account of the “patent” “closeness of the relationship”); *June Medical Services LLC v. Russo*, 140 S. Ct. 2103, 2118 (2020) (plurality opinion) (“We have long permitted abortion *providers* to invoke the rights of their actual or potential patients in challenges to abortion-related regulations.” (emphasis added)).
4. *See also Planned Parenthood of Kansas and Mid-Missouri v. Moser*, 747 F.3d 814, 826 (10th Cir. 2014) (“There is a qualitative difference between prohibiting an activity and refusing to subsidize it. The Supreme Court, for instance, has drawn that line in rejecting state laws prohibiting certain abortions but not laws refusing to provide funds for the practice.”).



# TEXAS HOUSE *of* REPRESENTATIVES

*Briscoe Cain*  
District 128

---

CHAIR, HOUSE COMMITTEE ON ELECTIONS  
MEMBER, HOUSE COMMITTEE ON BUSINESS & INDUSTRY

will ensure that you and your organization's employees, volunteers, and donors are held accountable for every abortion that you illegally assisted.

Conduct yourself accordingly.

Sincerely,

Briscoe Cain  
Texas State Representative  
House District 128

Enclosure: West's Texas Civil Statutes, articles 4512.1 – 4512.6 (1974)



# TEXAS HOUSE *of* REPRESENTATIVES

*Briscoe Cain*  
District 128

CHAIR, HOUSE COMMITTEE ON ELECTIONS  
MEMBER, HOUSE COMMITTEE ON BUSINESS & INDUSTRY

March 18, 2022

Kamyon Conner  
Executive Director  
Texas Equal Access Fund  
Post Office Box 227336  
Dallas, Texas 75222

Dear Ms. Conner:

The law of Texas imposes felony criminal liability on any person who “furnishes the means for procuring an abortion knowing the purpose intended.” West’s Texas Civil Statutes, article 4512.2 (1974).<sup>1</sup> Violations of article 4512.2 are punishable by two to five years imprisonment for each abortion that was paid for, and the statute of limitations is three years. The only exception is for abortions “procured or attempted by medical advice for the purpose of saving the life of the mother.” West’s Texas Civil Statutes, article 4512.6 (1974). The State of Texas has never repealed this statute, and the legislature re-affirmed the continuing vitality of article 4512.2 last session when it enacted Senate Bill 8. *See* Senate Bill 8, 87th Leg., § 2.

You and your organization are violating this criminal statutory prohibition by paying for other people’s abortions—even when those abortions are purely elective and are not performed for the purpose of saving the mother’s life. Your organization even boasts about its violations of article 4512.2 on its website and openly solicits funds for these criminal activities.<sup>2</sup>

It appears that you are unaware that article 4512.2 continues to exist as the law of Texas. And you likewise appear unaware that your organization is committing criminal acts that are exposing everyone involved in your organization—including your employees, volunteers, and donors—to criminal prosecution and imprisonment. *Roe v. Wade*, 410 U.S. 113 (1973), is no defense to your violations of article 4512.2 because abortion funds (and those who donate to those funds) lack standing to assert the third-party rights of women seeking abortions as a defense to criminal prosecution. *See Kowalski v. Tesmer*, 543 U.S. 125, 129 (2004) (“A party ‘generally must assert his own legal rights and interests, and cannot rest his claim to relief on

- 
1. The full text of the statute says: “Whoever furnishes the means for procuring an abortion knowing the purpose intended is guilty as an accomplice.” West’s Texas Civil Statutes, article 4512.2 (1974). A copy of the statute is attached to this letter.
  2. *See* <http://www.teafund.org> (“Texas Equal Access Fund provides emotional and financial support to people who are seeking abortion”) (last visited on March 17, 2022).



the legal rights or interests of third parties.” (citation omitted)).<sup>3</sup> And in all events, a woman seeking an abortion has no constitutional right to have other people pay for it, *see Harris v. McRae*, 448 U.S. 297, 325 (1980), so no abortion patient will suffer an “undue burden” if abortion funds and their donors are prosecuted and imprisoned for violating article 4512.2.<sup>4</sup> There is also no constitutional right to perform or pay for another person’s abortion; that is why abortion providers who challenge abortion regulations must invoke the third-party rights of their patients rather than assert their own constitutional rights. *See, e.g., Planned Parenthood of Greater Ohio v. Hodges*, 917 F.3d 908, 912 (6th Cir. 2019) (en banc) (“The Supreme Court has never identified a freestanding right to perform abortions. To the contrary, it has indicated that there is no such thing.”). Nor will the abortionist’s immunity from prosecution on account of *Roe* preclude the imposition of accomplice liability on abortion funds and others who violate section 4512.2. *See* Tex. Penal Code § 7.03(2).

You and your organization must immediately cease and desist all activities that aid or abet elective abortions performed in Texas. This includes paying for elective abortions, defraying or reimbursing the costs or expenses of such abortions, and engaging in any conduct that would make one an accomplice to an elective abortion under section 7.02 of the Texas Penal Code. The only abortions that your organization may pay for or assist are abortions “procured or attempted by medical advice for the purpose of saving the life of the mother.” West’s Texas Civil Statutes, article 4512.6 (1974).

If you do not immediately halt your criminal activities, then I will introduce legislation next session that will empower district attorneys from throughout the state to prosecute abortion-related crimes—including violations of article 4512.2 of the Revised Civil Statutes—when the local district attorney fails or refuses to do so. The bill will also eliminate the three-year statute of limitations that currently applies to violations of article 4512.2. The state of Texas

3. The Supreme Court has allowed abortion doctors and abortion providers to assert the third-party rights of abortion patients, but no court has ever held that an abortion fund (or a donor to such a fund) has the necessary “close relation” needed to establish third-party standing. *See, e.g., Singleton v. Wulff*, 428 U.S. 106, 117 (1976) (plurality opinion) (allowing *physicians* to assert third-party rights of their patients seeking abortions on account of the “patent” “closeness of the relationship”); *June Medical Services LLC v. Russo*, 140 S. Ct. 2103, 2118 (2020) (plurality opinion) (“We have long permitted abortion *providers* to invoke the rights of their actual or potential patients in challenges to abortion-related regulations.” (emphasis added)).
4. *See also Planned Parenthood of Kansas and Mid-Missouri v. Moser*, 747 F.3d 814, 826 (10th Cir. 2014) (“There is a qualitative difference between prohibiting an activity and refusing to subsidize it. The Supreme Court, for instance, has drawn that line in rejecting state laws prohibiting certain abortions but not laws refusing to provide funds for the practice.”).



# TEXAS HOUSE *of* REPRESENTATIVES

*Briscoe Cain*  
District 128

---

CHAIR, HOUSE COMMITTEE ON ELECTIONS  
MEMBER, HOUSE COMMITTEE ON BUSINESS & INDUSTRY

will ensure that you and your organization's employees, volunteers, and donors are held accountable for every abortion that you illegally assisted.

Conduct yourself accordingly.

Sincerely,

Briscoe Cain  
Texas State Representative  
House District 128

Enclosure: West's Texas Civil Statutes, articles 4512.1 – 4512.6 (1974)



# TEXAS HOUSE *of* REPRESENTATIVES

*Briscoe Cain*  
District 128

CHAIR, HOUSE COMMITTEE ON ELECTIONS  
MEMBER, HOUSE COMMITTEE ON BUSINESS & INDUSTRY

March 18, 2022

Marsha Jones  
CEO and Co-Founder  
The Afiya Center  
4907 Spring Avenue, Suite 209  
Dallas, Texas 75210

Dear Ms. Jones:

The law of Texas imposes felony criminal liability on any person who “furnishes the means for procuring an abortion knowing the purpose intended.” West’s Texas Civil Statutes, article 4512.2 (1974).<sup>1</sup> Violations of article 4512.2 are punishable by two to five years imprisonment for each abortion that was paid for, and the statute of limitations is three years. The only exception is for abortions “procured or attempted by medical advice for the purpose of saving the life of the mother.” West’s Texas Civil Statutes, article 4512.6 (1974). The State of Texas has never repealed this statute, and the legislature re-affirmed the continuing vitality of article 4512.2 last session when it enacted Senate Bill 8. *See* Senate Bill 8, 87th Leg., § 2.

You and your organization are violating this criminal statutory prohibition by paying for other people’s abortions—even when those abortions are purely elective and are not performed for the purpose of saving the mother’s life. Your organization even boasts about its violations of article 4512.2 on its website and openly solicits funds for these criminal activities.

It appears that you are unaware that article 4512.2 continues to exist as the law of Texas. And you likewise appear unaware that your organization is committing criminal acts that are exposing everyone involved in your organization—including your employees, volunteers, and donors—to criminal prosecution and imprisonment. *Roe v. Wade*, 410 U.S. 113 (1973), is no defense to your violations of article 4512.2 because abortion funds (and those who donate to those funds) lack standing to assert the third-party rights of women seeking abortions as a defense to criminal prosecution. *See Kowalski v. Tesmer*, 543 U.S. 125, 129 (2004) (“A party ‘generally must assert his own legal rights and interests, and cannot rest

---

1. The full text of the statute says: “Whoever furnishes the means for procuring an abortion knowing the purpose intended is guilty as an accomplice.” West’s Texas Civil Statutes, article 4512.2 (1974). A copy of the statute is attached to this letter.





his claim to relief on the legal rights or interests of third parties.” (citation omitted)).<sup>2</sup> And in all events, a woman seeking an abortion has no constitutional right to have other people pay for it, see *Harris v. McRae*, 448 U.S. 297, 325 (1980), so no abortion patient will suffer an “undue burden” if abortion funds and their donors are prosecuted and imprisoned for violating article 4512.2.<sup>3</sup> There is also no constitutional right to perform or pay for another person’s abortion; that is why abortion providers who challenge abortion regulations must invoke the third-party rights of their patients rather than assert their own constitutional rights. See, e.g., *Planned Parenthood of Greater Ohio v. Hodges*, 917 F.3d 908, 912 (6th Cir. 2019) (en banc) (“The Supreme Court has never identified a freestanding right to perform abortions. To the contrary, it has indicated that there is no such thing.”). Nor will the abortionist’s immunity from prosecution on account of *Roe* preclude the imposition of accomplice liability on abortion funds and others who violate section 4512.2. See Tex. Penal Code § 7.03(2).

You and your organization must immediately cease and desist all activities that aid or abet elective abortions performed in Texas. This includes paying for elective abortions, defraying or reimbursing the costs or expenses of such abortions, and engaging in any conduct that would make one an accomplice to an elective abortion under section 7.02 of the Texas Penal Code. The only abortions that your organization may pay for or assist are abortions “procured or attempted by medical advice for the purpose of saving the life of the mother.” West’s Texas Civil Statutes, article 4512.6 (1974).

If you do not immediately halt your criminal activities, then I will introduce legislation next session that will empower district attorneys from throughout the state to prosecute abortion-related crimes—including violations of article 4512.2 of the Revised Civil Statutes—when the local district attorney fails or refuses to do so. The bill will also eliminate the three-year statute of limitations that currently applies to violations of article 4512.2. The state of

2. The Supreme Court has allowed abortion doctors and abortion providers to assert the third-party rights of abortion patients, but no court has ever held that an abortion fund (or a donor to such a fund) has the necessary “close relation” needed to establish third-party standing. See, e.g., *Singleton v. Wulff*, 428 U.S. 106, 117 (1976) (plurality opinion) (allowing *physicians* to assert third-party rights of their patients seeking abortions on account of the “patent” “closeness of the relationship”); *June Medical Services LLC v. Russo*, 140 S. Ct. 2103, 2118 (2020) (plurality opinion) (“We have long permitted abortion *providers* to invoke the rights of their actual or potential patients in challenges to abortion-related regulations.” (emphasis added)).
3. See also *Planned Parenthood of Kansas and Mid-Missouri v. Moser*, 747 F.3d 814, 826 (10th Cir. 2014) (“There is a qualitative difference between prohibiting an activity and refusing to subsidize it. The Supreme Court, for instance, has drawn that line in rejecting state laws prohibiting certain abortions but not laws refusing to provide funds for the practice.”).



# TEXAS HOUSE *of* REPRESENTATIVES

*Briscoe Cain*  
District 128

---

CHAIR, HOUSE COMMITTEE ON ELECTIONS  
MEMBER, HOUSE COMMITTEE ON BUSINESS & INDUSTRY

Texas will ensure that you and your organization's employees, volunteers, and donors are held accountable for every abortion that you illegally assisted.

Conduct yourself accordingly.

Sincerely,

Briscoe Cain  
Texas State Representative  
House District 128

Enclosure: West's Texas Civil Statutes, articles 4512.1 – 4512.6 (1974)



# TEXAS HOUSE *of* REPRESENTATIVES

*Briscoe Cain*  
District 128

CHAIR, HOUSE COMMITTEE ON ELECTIONS  
MEMBER, HOUSE COMMITTEE ON BUSINESS & INDUSTRY

March 18, 2022

Terri Chen  
Treasurer & Member, Board of Directors  
Clinic Access Support Network  
9337 Katy Freeway, Suite B  
PMB 8018  
Houston, Texas 77024

Dear Ms. Chen:

The law of Texas imposes felony criminal liability on any person who “furnishes the means for procuring an abortion knowing the purpose intended.” West’s Texas Civil Statutes, article 4512.2 (1974).<sup>1</sup> Violations of article 4512.2 are punishable by two to five years imprisonment for each abortion that was paid for, and the statute of limitations is three years. The only exception is for abortions “procured or attempted by medical advice for the purpose of saving the life of the mother.” West’s Texas Civil Statutes, article 4512.6 (1974). The State of Texas has never repealed this statute, and the legislature re-affirmed the continuing vitality of article 4512.2 last session when it enacted Senate Bill 8. *See* Senate Bill 8, 87th Leg., § 2.

You and your organization are violating this criminal statutory prohibition by paying for other people’s abortions—even when those abortions are purely elective and are not performed for the purpose of saving the mother’s life. Your organization even boasts about its violations of article 4512.2 on its website and openly solicits funds for these criminal activities.

It appears that you are unaware that article 4512.2 continues to exist as the law of Texas. And you likewise appear unaware that your organization is committing criminal acts that are exposing everyone involved in your organization—including your employees, volunteers, and donors—to criminal prosecution and imprisonment. *Roe v. Wade*, 410 U.S. 113 (1973), is no defense to your violations of article 4512.2 because abortion funds (and those who donate to those funds) lack standing to assert the third-party rights of women seeking abortions as a defense to criminal prosecution. *See Kowalski v. Tesmer*, 543 U.S. 125, 129 (2004) (“A party ‘generally must assert his own legal rights and interests, and cannot rest

---

1. The full text of the statute says: “Whoever furnishes the means for procuring an abortion knowing the purpose intended is guilty as an accomplice.” West’s Texas Civil Statutes, article 4512.2 (1974). A copy of the statute is attached to this letter.



his claim to relief on the legal rights or interests of third parties.” (citation omitted)).<sup>2</sup> And in all events, a woman seeking an abortion has no constitutional right to have other people pay for it, see *Harris v. McRae*, 448 U.S. 297, 325 (1980), so no abortion patient will suffer an “undue burden” if abortion funds and their donors are prosecuted and imprisoned for violating article 4512.2.<sup>3</sup> There is also no constitutional right to perform or pay for another person’s abortion; that is why abortion providers who challenge abortion regulations must invoke the third-party rights of their patients rather than assert their own constitutional rights. See, e.g., *Planned Parenthood of Greater Ohio v. Hodges*, 917 F.3d 908, 912 (6th Cir. 2019) (en banc) (“The Supreme Court has never identified a freestanding right to perform abortions. To the contrary, it has indicated that there is no such thing.”). Nor will the abortionist’s immunity from prosecution on account of *Roe* preclude the imposition of accomplice liability on abortion funds and others who violate section 4512.2. See Tex. Penal Code § 7.03(2).

You and your organization must immediately cease and desist all activities that aid or abet elective abortions performed in Texas. This includes paying for elective abortions, defraying or reimbursing the costs or expenses of such abortions, and engaging in any conduct that would make one an accomplice to an elective abortion under section 7.02 of the Texas Penal Code. The only abortions that your organization may pay for or assist are abortions “procured or attempted by medical advice for the purpose of saving the life of the mother.” West’s Texas Civil Statutes, article 4512.6 (1974).

If you do not immediately halt your criminal activities, then I will introduce legislation next session that will empower district attorneys from throughout the state to prosecute abortion-related crimes—including violations of article 4512.2 of the Revised Civil Statutes—when the local district attorney fails or refuses to do so. The bill will also eliminate the three-year statute of limitations that currently applies to violations of article 4512.2. The state of

2. The Supreme Court has allowed abortion doctors and abortion providers to assert the third-party rights of abortion patients, but no court has ever held that an abortion fund (or a donor to such a fund) has the necessary “close relation” needed to establish third-party standing. See, e.g., *Singleton v. Wulff*, 428 U.S. 106, 117 (1976) (plurality opinion) (allowing *physicians* to assert third-party rights of their patients seeking abortions on account of the “patent” “closeness of the relationship”); *June Medical Services LLC v. Russo*, 140 S. Ct. 2103, 2118 (2020) (plurality opinion) (“We have long permitted abortion *providers* to invoke the rights of their actual or potential patients in challenges to abortion-related regulations.” (emphasis added)).
3. See also *Planned Parenthood of Kansas and Mid-Missouri v. Moser*, 747 F.3d 814, 826 (10th Cir. 2014) (“There is a qualitative difference between prohibiting an activity and refusing to subsidize it. The Supreme Court, for instance, has drawn that line in rejecting state laws prohibiting certain abortions but not laws refusing to provide funds for the practice.”).



TEXAS HOUSE *of*  
REPRESENTATIVES

*Briscoe Cain*  
District 128

---

CHAIR, HOUSE COMMITTEE ON ELECTIONS  
MEMBER, HOUSE COMMITTEE ON BUSINESS & INDUSTRY

Texas will ensure that you and your organization's employees, volunteers, and donors are held accountable for every abortion that you illegally assisted.

Conduct yourself accordingly.

Sincerely,

Briscoe Cain  
Texas State Representative  
House District 128

Enclosure: West's Texas Civil Statutes, articles 4512.1 – 4512.6 (1974)



# TEXAS HOUSE *of* REPRESENTATIVES

*Briscoe Cain*  
District 128

CHAIR, HOUSE COMMITTEE ON ELECTIONS  
MEMBER, HOUSE COMMITTEE ON BUSINESS & INDUSTRY

March 18, 2022

Zaena Zamora  
Executive Director  
Frontera Fund  
Post Office Box 721011  
McAllen, Texas 78504

Dear Ms. Zamora:

The law of Texas imposes felony criminal liability on any person who “furnishes the means for procuring an abortion knowing the purpose intended.” West’s Texas Civil Statutes, article 4512.2 (1974).<sup>1</sup> Violations of article 4512.2 are punishable by two to five years imprisonment for each abortion that was paid for, and the statute of limitations is three years. The only exception is for abortions “procured or attempted by medical advice for the purpose of saving the life of the mother.” West’s Texas Civil Statutes, article 4512.6 (1974). The State of Texas has never repealed this statute, and the legislature re-affirmed the continuing vitality of article 4512.2 last session when it enacted Senate Bill 8. *See* Senate Bill 8, 87th Leg., § 2.

You and your organization are violating this criminal statutory prohibition by paying for other people’s abortions—even when those abortions are purely elective and are not performed for the purpose of saving the mother’s life. Your organization even boasts about its violations of article 4512.2 on its website and openly solicits funds for these criminal activities.

It appears that you are unaware that article 4512.2 continues to exist as the law of Texas. And you likewise appear unaware that your organization is committing criminal acts that are exposing everyone involved in your organization—including your employees, volunteers, and donors—to criminal prosecution and imprisonment. *Roe v. Wade*, 410 U.S. 113 (1973), is no defense to your violations of article 4512.2 because abortion funds (and those who donate to those funds) lack standing to assert the third-party rights of women seeking abortions as a defense to criminal prosecution. *See Kowalski v. Tesmer*, 543 U.S. 125, 129 (2004) (“A party ‘generally must assert his own legal rights and interests, and cannot rest

---

1. The full text of the statute says: “Whoever furnishes the means for procuring an abortion knowing the purpose intended is guilty as an accomplice.” West’s Texas Civil Statutes, article 4512.2 (1974). A copy of the statute is attached to this letter.



his claim to relief on the legal rights or interests of third parties.” (citation omitted)).<sup>2</sup> And in all events, a woman seeking an abortion has no constitutional right to have other people pay for it, see *Harris v. McRae*, 448 U.S. 297, 325 (1980), so no abortion patient will suffer an “undue burden” if abortion funds and their donors are prosecuted and imprisoned for violating article 4512.2.<sup>3</sup> There is also no constitutional right to perform or pay for another person’s abortion; that is why abortion providers who challenge abortion regulations must invoke the third-party rights of their patients rather than assert their own constitutional rights. See, e.g., *Planned Parenthood of Greater Ohio v. Hodges*, 917 F.3d 908, 912 (6th Cir. 2019) (en banc) (“The Supreme Court has never identified a freestanding right to perform abortions. To the contrary, it has indicated that there is no such thing.”). Nor will the abortionist’s immunity from prosecution on account of *Roe* preclude the imposition of accomplice liability on abortion funds and others who violate section 4512.2. See Tex. Penal Code § 7.03(2).

You and your organization must immediately cease and desist all activities that aid or abet elective abortions performed in Texas. This includes paying for elective abortions, defraying or reimbursing the costs or expenses of such abortions, and engaging in any conduct that would make one an accomplice to an elective abortion under section 7.02 of the Texas Penal Code. The only abortions that your organization may pay for or assist are abortions “procured or attempted by medical advice for the purpose of saving the life of the mother.” West’s Texas Civil Statutes, article 4512.6 (1974).

If you do not immediately halt your criminal activities, then I will introduce legislation next session that will empower district attorneys from throughout the state to prosecute abortion-related crimes—including violations of article 4512.2 of the Revised Civil Statutes—when the local district attorney fails or refuses to do so. The bill will also eliminate the three-year statute of limitations that currently applies to violations of article 4512.2. The state of

2. The Supreme Court has allowed abortion doctors and abortion providers to assert the third-party rights of abortion patients, but no court has ever held that an abortion fund (or a donor to such a fund) has the necessary “close relation” needed to establish third-party standing. See, e.g., *Singleton v. Wulff*, 428 U.S. 106, 117 (1976) (plurality opinion) (allowing *physicians* to assert third-party rights of their patients seeking abortions on account of the “patent” “closeness of the relationship”); *June Medical Services LLC v. Russo*, 140 S. Ct. 2103, 2118 (2020) (plurality opinion) (“We have long permitted abortion *providers* to invoke the rights of their actual or potential patients in challenges to abortion-related regulations.” (emphasis added)).
3. See also *Planned Parenthood of Kansas and Mid-Missouri v. Moser*, 747 F.3d 814, 826 (10th Cir. 2014) (“There is a qualitative difference between prohibiting an activity and refusing to subsidize it. The Supreme Court, for instance, has drawn that line in rejecting state laws prohibiting certain abortions but not laws refusing to provide funds for the practice.”).



TEXAS HOUSE *of*  
REPRESENTATIVES

*Briscoe Cain*  
District 128

---

CHAIR, HOUSE COMMITTEE ON ELECTIONS  
MEMBER, HOUSE COMMITTEE ON BUSINESS & INDUSTRY

Texas will ensure that you and your organization's employees, volunteers, and donors are held accountable for every abortion that you illegally assisted.

Conduct yourself accordingly.

Sincerely,

Briscoe Cain  
Texas State Representative  
House District 128

Enclosure: West's Texas Civil Statutes, articles 4512.1 – 4512.6 (1974)





# TEXAS HOUSE *of* REPRESENTATIVES

*Briscoe Cain*  
District 128

CHAIR, HOUSE COMMITTEE ON ELECTIONS  
MEMBER, HOUSE COMMITTEE ON BUSINESS & INDUSTRY

March 18, 2022

Anna Rupani  
Co-Executive Director  
Fund Texas Choice  
3005 South Lamar Blvd  
Suite D109, Box 111  
Austin, Texas 78704

Dear Ms. Rupani:

The law of Texas imposes felony criminal liability on any person who “furnishes the means for procuring an abortion knowing the purpose intended.” West’s Texas Civil Statutes, article 4512.2 (1974).<sup>1</sup> Violations of article 4512.2 are punishable by two to five years imprisonment for each abortion that was paid for, and the statute of limitations is three years. The only exception is for abortions “procured or attempted by medical advice for the purpose of saving the life of the mother.” West’s Texas Civil Statutes, article 4512.6 (1974). The State of Texas has never repealed this statute, and the legislature re-affirmed the continuing vitality of article 4512.2 last session when it enacted Senate Bill 8. *See* Senate Bill 8, 87th Leg., § 2.

You and your organization are violating this criminal statutory prohibition by paying for other people’s abortions—even when those abortions are purely elective and are not performed for the purpose of saving the mother’s life. Your organization even boasts about its violations of article 4512.2 on its website and openly solicits funds for these criminal activities.

It appears that you are unaware that article 4512.2 continues to exist as the law of Texas. And you likewise appear unaware that your organization is committing criminal acts that are exposing everyone involved in your organization—including your employees, volunteers, and donors—to criminal prosecution and imprisonment. *Roe v. Wade*, 410 U.S. 113 (1973), is no defense to your violations of article 4512.2 because abortion funds (and those who donate to those funds) lack standing to assert the third-party rights of women seeking abortions as a defense to criminal prosecution. *See Kowalski v. Tesmer*, 543 U.S. 125, 129 (2004) (“A party ‘generally must assert his own legal rights and interests, and cannot rest

---

1. The full text of the statute says: “Whoever furnishes the means for procuring an abortion knowing the purpose intended is guilty as an accomplice.” West’s Texas Civil Statutes, article 4512.2 (1974). A copy of the statute is attached to this letter.



his claim to relief on the legal rights or interests of third parties.” (citation omitted)).<sup>2</sup> And in all events, a woman seeking an abortion has no constitutional right to have other people pay for it, see *Harris v. McRae*, 448 U.S. 297, 325 (1980), so no abortion patient will suffer an “undue burden” if abortion funds and their donors are prosecuted and imprisoned for violating article 4512.2.<sup>3</sup> There is also no constitutional right to perform or pay for another person’s abortion; that is why abortion providers who challenge abortion regulations must invoke the third-party rights of their patients rather than assert their own constitutional rights. See, e.g., *Planned Parenthood of Greater Ohio v. Hodges*, 917 F.3d 908, 912 (6th Cir. 2019) (en banc) (“The Supreme Court has never identified a freestanding right to perform abortions. To the contrary, it has indicated that there is no such thing.”). Nor will the abortionist’s immunity from prosecution on account of *Roe* preclude the imposition of accomplice liability on abortion funds and others who violate section 4512.2. See Tex. Penal Code § 7.03(2).

You and your organization must immediately cease and desist all activities that aid or abet elective abortions performed in Texas. This includes paying for elective abortions, defraying or reimbursing the costs or expenses of such abortions, and engaging in any conduct that would make one an accomplice to an elective abortion under section 7.02 of the Texas Penal Code. The only abortions that your organization may pay for or assist are abortions “procured or attempted by medical advice for the purpose of saving the life of the mother.” West’s Texas Civil Statutes, article 4512.6 (1974).

If you do not immediately halt your criminal activities, then I will introduce legislation next session that will empower district attorneys from throughout the state to prosecute abortion-related crimes—including violations of article 4512.2 of the Revised Civil Statutes—when the local district attorney fails or refuses to do so. The bill will also eliminate the three-year statute of limitations that currently applies to violations of article 4512.2. The state of

2. The Supreme Court has allowed abortion doctors and abortion providers to assert the third-party rights of abortion patients, but no court has ever held that an abortion fund (or a donor to such a fund) has the necessary “close relation” needed to establish third-party standing. See, e.g., *Singleton v. Wulff*, 428 U.S. 106, 117 (1976) (plurality opinion) (allowing *physicians* to assert third-party rights of their patients seeking abortions on account of the “patent” “closeness of the relationship”); *June Medical Services LLC v. Russo*, 140 S. Ct. 2103, 2118 (2020) (plurality opinion) (“We have long permitted abortion *providers* to invoke the rights of their actual or potential patients in challenges to abortion-related regulations.” (emphasis added)).
3. See also *Planned Parenthood of Kansas and Mid-Missouri v. Moser*, 747 F.3d 814, 826 (10th Cir. 2014) (“There is a qualitative difference between prohibiting an activity and refusing to subsidize it. The Supreme Court, for instance, has drawn that line in rejecting state laws prohibiting certain abortions but not laws refusing to provide funds for the practice.”).



# TEXAS HOUSE *of* REPRESENTATIVES

*Briscoe Cain*  
District 128

---

CHAIR, HOUSE COMMITTEE ON ELECTIONS  
MEMBER, HOUSE COMMITTEE ON BUSINESS & INDUSTRY

Texas will ensure that you and your organization's employees, volunteers, and donors are held accountable for every abortion that you illegally assisted.

Conduct yourself accordingly.

Sincerely,

Briscoe Cain  
Texas State Representative  
House District 128

Enclosure: West's Texas Civil Statutes, articles 4512.1 – 4512.6 (1974)



# TEXAS HOUSE *of* REPRESENTATIVES

*Briscoe Cain*  
District 128

CHAIR, HOUSE COMMITTEE ON ELECTIONS  
MEMBER, HOUSE COMMITTEE ON BUSINESS & INDUSTRY

March 18, 2022

Rachel Check  
President, The West Fund  
Post Office Box 920088  
El Paso, Texas 79902

Dear Ms. Check:

The law of Texas imposes felony criminal liability on any person who “furnishes the means for procuring an abortion knowing the purpose intended.” West’s Texas Civil Statutes, article 4512.2 (1974).<sup>1</sup> Violations of article 4512.2 are punishable by two to five years imprisonment for each abortion that was paid for, and the statute of limitations is three years. The only exception is for abortions “procured or attempted by medical advice for the purpose of saving the life of the mother.” West’s Texas Civil Statutes, article 4512.6 (1974). The State of Texas has never repealed this statute, and the legislature re-affirmed the continuing vitality of article 4512.2 last session when it enacted Senate Bill 8. *See* Senate Bill 8, 87th Leg., § 2.

You and your organization are violating this criminal statutory prohibition by paying for other people’s abortions—even when those abortions are purely elective and are not performed for the purpose of saving the mother’s life. Your organization even boasts about its violations of article 4512.2 on its website and openly solicits funds for these criminal activities.

It appears that you are unaware that article 4512.2 continues to exist as the law of Texas. And you likewise appear unaware that your organization is committing criminal acts that are exposing everyone involved in your organization—including your employees, volunteers, and donors—to criminal prosecution and imprisonment. *Roe v. Wade*, 410 U.S. 113 (1973), is no defense to your violations of article 4512.2 because abortion funds (and those who donate to those funds) lack standing to assert the third-party rights of women seeking abortions as a defense to criminal prosecution. *See Kowalski v. Tesmer*, 543 U.S. 125, 129 (2004) (“A party ‘generally must assert his own legal rights and interests, and cannot rest

---

1. The full text of the statute says: “Whoever furnishes the means for procuring an abortion knowing the purpose intended is guilty as an accomplice.” West’s Texas Civil Statutes, article 4512.2 (1974). A copy of the statute is attached to this letter.



his claim to relief on the legal rights or interests of third parties.” (citation omitted)).<sup>2</sup> And in all events, a woman seeking an abortion has no constitutional right to have other people pay for it, see *Harris v. McRae*, 448 U.S. 297, 325 (1980), so no abortion patient will suffer an “undue burden” if abortion funds and their donors are prosecuted and imprisoned for violating article 4512.2.<sup>3</sup> There is also no constitutional right to perform or pay for another person’s abortion; that is why abortion providers who challenge abortion regulations must invoke the third-party rights of their patients rather than assert their own constitutional rights. See, e.g., *Planned Parenthood of Greater Ohio v. Hodges*, 917 F.3d 908, 912 (6th Cir. 2019) (en banc) (“The Supreme Court has never identified a freestanding right to perform abortions. To the contrary, it has indicated that there is no such thing.”). Nor will the abortionist’s immunity from prosecution on account of *Roe* preclude the imposition of accomplice liability on abortion funds and others who violate section 4512.2. See Tex. Penal Code § 7.03(2).

You and your organization must immediately cease and desist all activities that aid or abet elective abortions performed in Texas. This includes paying for elective abortions, defraying or reimbursing the costs or expenses of such abortions, and engaging in any conduct that would make one an accomplice to an elective abortion under section 7.02 of the Texas Penal Code. The only abortions that your organization may pay for or assist are abortions “procured or attempted by medical advice for the purpose of saving the life of the mother.” West’s Texas Civil Statutes, article 4512.6 (1974).

If you do not immediately halt your criminal activities, then I will introduce legislation next session that will empower district attorneys from throughout the state to prosecute abortion-related crimes—including violations of article 4512.2 of the Revised Civil Statutes—when the local district attorney fails or refuses to do so. The bill will also eliminate the three-year statute of limitations that currently applies to violations of article 4512.2. The state of

2. The Supreme Court has allowed abortion doctors and abortion providers to assert the third-party rights of abortion patients, but no court has ever held that an abortion fund (or a donor to such a fund) has the necessary “close relation” needed to establish third-party standing. See, e.g., *Singleton v. Wulff*, 428 U.S. 106, 117 (1976) (plurality opinion) (allowing *physicians* to assert third-party rights of their patients seeking abortions on account of the “patent” “closeness of the relationship”); *June Medical Services LLC v. Russo*, 140 S. Ct. 2103, 2118 (2020) (plurality opinion) (“We have long permitted abortion *providers* to invoke the rights of their actual or potential patients in challenges to abortion-related regulations.” (emphasis added)).
3. See also *Planned Parenthood of Kansas and Mid-Missouri v. Moser*, 747 F.3d 814, 826 (10th Cir. 2014) (“There is a qualitative difference between prohibiting an activity and refusing to subsidize it. The Supreme Court, for instance, has drawn that line in rejecting state laws prohibiting certain abortions but not laws refusing to provide funds for the practice.”).



TEXAS HOUSE *of*  
REPRESENTATIVES

*Briscoe Cain*  
District 128

---

CHAIR, HOUSE COMMITTEE ON ELECTIONS  
MEMBER, HOUSE COMMITTEE ON BUSINESS & INDUSTRY

Texas will ensure that you and your organization's employees, volunteers, and donors are held accountable for every abortion that you illegally assisted.

Conduct yourself accordingly.

Sincerely,

Briscoe Cain  
Texas State Representative  
House District 128

Enclosure: West's Texas Civil Statutes, articles 4512.1 – 4512.6 (1974)



# TEXAS HOUSE *of* REPRESENTATIVES

*Briscoe Cain*  
District 128

CHAIR, HOUSE COMMITTEE ON ELECTIONS  
MEMBER, HOUSE COMMITTEE ON BUSINESS & INDUSTRY

March 18, 2022

Morgan Gimblet  
Founder & Member  
Buckle Bunnies Fund  
gimblemv@mail.uc.edu

Dear Ms. Gimblet:

The law of Texas imposes felony criminal liability on any person who “furnishes the means for procuring an abortion knowing the purpose intended.” West’s Texas Civil Statutes, article 4512.2 (1974).<sup>1</sup> Violations of article 4512.2 are punishable by two to five years imprisonment for each abortion that was paid for, and the statute of limitations is three years. The only exception is for abortions “procured or attempted by medical advice for the purpose of saving the life of the mother.” West’s Texas Civil Statutes, article 4512.6 (1974). The State of Texas has never repealed this statute, and the legislature re-affirmed the continuing vitality of article 4512.2 last session when it enacted Senate Bill 8. *See* Senate Bill 8, 87th Leg., § 2.

You and your organization are violating this criminal statutory prohibition by paying for other people’s abortions—even when those abortions are purely elective and are not performed for the purpose of saving the mother’s life. Your organization even boasts about its violations of article 4512.2 on its website and openly solicits funds for these criminal activities.

It appears that you are unaware that article 4512.2 continues to exist as the law of Texas. And you likewise appear unaware that your organization is committing criminal acts that are exposing everyone involved in your organization—including your employees, volunteers, and donors—to criminal prosecution and imprisonment. *Roe v. Wade*, 410 U.S. 113 (1973), is no defense to your violations of article 4512.2 because abortion funds (and those who donate to those funds) lack standing to assert the third-party rights of women seeking abortions as a defense to criminal prosecution. *See Kowalski v. Tesmer*, 543 U.S. 125, 129 (2004) (“A party ‘generally must assert his own legal rights and interests, and cannot rest

---

1. The full text of the statute says: “Whoever furnishes the means for procuring an abortion knowing the purpose intended is guilty as an accomplice.” West’s Texas Civil Statutes, article 4512.2 (1974). A copy of the statute is attached to this letter.



his claim to relief on the legal rights or interests of third parties.” (citation omitted)).<sup>2</sup> And in all events, a woman seeking an abortion has no constitutional right to have other people pay for it, see *Harris v. McRae*, 448 U.S. 297, 325 (1980), so no abortion patient will suffer an “undue burden” if abortion funds and their donors are prosecuted and imprisoned for violating article 4512.2.<sup>3</sup> There is also no constitutional right to perform or pay for another person’s abortion; that is why abortion providers who challenge abortion regulations must invoke the third-party rights of their patients rather than assert their own constitutional rights. See, e.g., *Planned Parenthood of Greater Ohio v. Hodges*, 917 F.3d 908, 912 (6th Cir. 2019) (en banc) (“The Supreme Court has never identified a freestanding right to perform abortions. To the contrary, it has indicated that there is no such thing.”). Nor will the abortionist’s immunity from prosecution on account of *Roe* preclude the imposition of accomplice liability on abortion funds and others who violate section 4512.2. See Tex. Penal Code § 7.03(2).

You and your organization must immediately cease and desist all activities that aid or abet elective abortions performed in Texas. This includes paying for elective abortions, defraying or reimbursing the costs or expenses of such abortions, and engaging in any conduct that would make one an accomplice to an elective abortion under section 7.02 of the Texas Penal Code. The only abortions that your organization may pay for or assist are abortions “procured or attempted by medical advice for the purpose of saving the life of the mother.” West’s Texas Civil Statutes, article 4512.6 (1974).

If you do not immediately halt your criminal activities, then I will introduce legislation next session that will empower district attorneys from throughout the state to prosecute abortion-related crimes—including violations of article 4512.2 of the Revised Civil Statutes—when the local district attorney fails or refuses to do so. The bill will also eliminate the three-year statute of limitations that currently applies to violations of article 4512.2. The state of

2. The Supreme Court has allowed abortion doctors and abortion providers to assert the third-party rights of abortion patients, but no court has ever held that an abortion fund (or a donor to such a fund) has the necessary “close relation” needed to establish third-party standing. See, e.g., *Singleton v. Wulff*, 428 U.S. 106, 117 (1976) (plurality opinion) (allowing *physicians* to assert third-party rights of their patients seeking abortions on account of the “patent” “closeness of the relationship”); *June Medical Services LLC v. Russo*, 140 S. Ct. 2103, 2118 (2020) (plurality opinion) (“We have long permitted abortion *providers* to invoke the rights of their actual or potential patients in challenges to abortion-related regulations.” (emphasis added)).
3. See also *Planned Parenthood of Kansas and Mid-Missouri v. Moser*, 747 F.3d 814, 826 (10th Cir. 2014) (“There is a qualitative difference between prohibiting an activity and refusing to subsidize it. The Supreme Court, for instance, has drawn that line in rejecting state laws prohibiting certain abortions but not laws refusing to provide funds for the practice.”).





TEXAS HOUSE *of*  
REPRESENTATIVES

*Briscoe Cain*  
District 128

---

CHAIR, HOUSE COMMITTEE ON ELECTIONS  
MEMBER, HOUSE COMMITTEE ON BUSINESS & INDUSTRY

Texas will ensure that you and your organization's employees, volunteers, and donors are held accountable for every abortion that you illegally assisted.

Conduct yourself accordingly.

Sincerely,

Briscoe Cain  
Texas State Representative  
House District 128

Enclosure: West's Texas Civil Statutes, articles 4512.1 – 4512.6 (1974)

deformity or injury, by any system or method, or to effect cures thereof.

2. Who shall diagnose, treat or offer to treat any disease or disorder, mental or physical, or any physical deformity or injury, by any system or method, or to effect cures thereof and charge therefor, directly or indirectly, money or other compensation; provided, however, that the provisions of this Article shall be construed with and in view of Article 740, Penal Code of Texas<sup>1</sup> and Article 4504, Revised Civil Statutes of Texas as contained in this Act.

[1925 P.C.; Acts 1949, 51st Leg., p. 160, ch. 94, § 20(b); Acts 1953, 53rd Leg., p. 1029, ch. 426, § 11.]

<sup>1</sup> See, now, article 4504a.

#### Art. 4510b. Unlawfully Practicing Medicine; Penalty

Any person practicing medicine in this State in violation of the preceding Articles of this Chapter shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than Fifty Dollars (\$50), nor more than Five Hundred Dollars (\$500), and by imprisonment in the county jail for not more than thirty (30) days. Each day of such violation shall be a separate offense.

[1925 P.C.; Acts 1939, 46th Leg., p. 352, § 10.]

#### Art. 4511. Definitions

The terms, "physician," and "surgeon," as used in this law, shall be construed as synonymous, and the terms, "practitioners," "practitioners of medicine," and, "practice of medicine," as used in this law, shall be construed to refer to and include physicians and surgeons.

[Acts 1925, S.B. 84.]

#### Art. 4512. Malpractice Cause for Revoking License

Any physician or person who is engaged in the practice of medicine, surgery, osteopathy, or who belongs to any other school of medicine, whether they used the medicines in their practice or not, who shall be guilty of any fraudulent or dishonorable conduct, or of any malpractice, or shall, by any untrue or fraudulent statement or representations made as such physician or person to a patient or other person being treated by such physician or person, procure and withhold, or cause to be withheld, from another any money, negotiable note, or thing of value, may be suspended in his right to practice medicine or his license may be revoked by the district court of the county in which such physician or person resides, or of the county where such conduct or malpractice or false representations occurred, in the manner and form provided for revoking or suspending license of attorneys at law in this State.

[Acts 1925, S.B. 84.]

### CHAPTER SIX ½. ABORTION

#### Article

- 4512.1 Abortion.
- 4512.2 Furnishing the Means.
- 4512.3 Attempt at Abortion.
- 4512.4 Murder in Producing Abortion.
- 4512.5 Destroying Unborn Child.
- 4512.6 By Medical Advice.

#### Art. 4512.1 Abortion

If any person shall designedly administer to a pregnant woman or knowingly procure to be administered with her consent any drug or medicine, or shall use towards her any violence or means whatever externally or internally applied, and thereby procure an abortion, he shall be confined in the penitentiary not less than two nor more than five years; if it be done without her consent, the punishment shall be doubled. By "abortion" is meant that the life of the fetus or embryo shall be destroyed in the woman's womb or that a premature birth thereof be caused.

[1925 P.C.]

#### Art. 4512.2 Furnishing the Means

Whoever furnishes the means for procuring an abortion knowing the purpose intended is guilty as an accomplice.

[1925 P.C.]

#### Art. 4512.3 Attempt at Abortion

If the means used shall fail to produce an abortion, the offender is nevertheless guilty of an attempt to produce abortion, provided it be shown that such means were calculated to produce that result, and shall be fined not less than one hundred nor more than one thousand dollars.

[1925 P.C.]

#### Art. 4512.4 Murder in Producing Abortion

If the death of the mother is occasioned by an abortion so produced or by an attempt to effect the same it is murder.

[1925 P.C.]

#### Art. 4512.5 Destroying Unborn Child

Whoever shall during parturition of the mother destroy the vitality or life in a child in a state of being born and before actual birth, which child would otherwise have been born alive, shall be confined in the penitentiary for life or for not less than five years.

[1925 P.C.]

#### Art. 4512.6 By Medical Advice

Nothing in this chapter applies to an abortion procured or attempted by medical advice for the purpose of saving the life of the mother.

[1925 P.C.]