CITY OF AMARILLO, TEXAS PROPOSED
SANCTUARY CITY FOR THE UNBORN ORDINANCE

THE KEY POINTS (OCTOBER 12, 2023)

1. The Biden Administration has committed to abortion access in every zip code, even in states like Texas where abortion has already been declared illegal. The proposed ordinance seeks to close as many of these loopholes as possible to prevent Biden’s radical abortion agenda from becoming a reality in Amarillo.

2. Texas women are being trafficked across our Texas–New Mexico border by abortion traffickers who are often funded by abortion trafficking organizations still operating in the State of Texas. The proposed ordinance seeks to put an end to the roads of Amarillo being used for abortion trafficking.

3. Men and women are being hurt and traumatized by abortion across our Texas–New Mexico border and sent back to Texas for our cities to deal with the aftermath in our homes, schools, universities, churches, women’s organizations, and hospitals. The proposed ordinance seeks to protect these institutions by putting safeguards in place to protect Amarillo for years to come.

4. Unborn children, killed by abortion, have been disposed of as waste in the State of Texas, through the help of a local business in Amarillo, Texas. The City of Amarillo should never be a city housing a business that makes money off of the dumping of the bodies of unborn children on Texas soil. The proposed ordinance makes sure that the bodies of dead babies picked up at abortion providers in New Mexico and Colorado never make their way to be disposed of as waste in the City of Amarillo and makes sure that no Amarillo businesses will be able to profit off of baby-murdering cartels in New Mexico and Colorado.

The proposed Amarillo Ordinance would . . .

1. Prohibit Performing Elective Abortions and Aiding or Abetting Elective Abortions Within City Limits (Section 8-6-2)

"It shall be unlawful for any person to procure or perform an elective abortion of any type and at any stage of pregnancy in the city of Amarillo, Texas. The prohibition in this section extends to drug-induced abortions in which any portion of the drug regimen is ingested in the city of Amarillo, Texas, and it applies regardless of where the person who performs or procures the abortion is located . . . . It shall be unlawful for any person to knowingly engage in conduct that aids or abets an elective abortion.” The proposed Amarillo Ordinance extends Texas Heartbeat Act’s Private Enforcement provision to the point of conception for all elective abortions in Amarillo.

2. Prohibit Elective Abortions On Amarillo Residents Regardless of Location (Section 8-6-3)

“It shall be unlawful for any person to knowingly perform an elective abortion or knowingly engage in conduct that aids or abets an elective abortion if the abortion is performed on a resident of Amarillo, regardless of the location of the abortion, regardless of the law in the jurisdiction where the abortion occurred, and regardless of whether the person knew or should have known that the abortion was performed or induced on a resident of Amarillo.”

3. Prohibits Abortion Trafficking (Section 8-6-4)

“It shall be unlawful for any person to knowingly transport any individual for the purpose of providing or obtaining an elective abortion, regardless of where the elective abortion will occur. This section shall
apply only if the transportation of such individual begins, ends, or passes through the city of Amarillo.”

The proposed ordinance also prohibits aiding or abetting abortion trafficking, stopping abortion traffickers from using the roads of Amarillo for illegal abortion trafficking operations.

4. **Prohibits Abortion-Inducing Drugs (Section 8-6-5)**

“It shall be unlawful for any person to: Manufacture, possess, or distribute abortion-inducing drugs in Amarillo; Mail, transport, deliver, or provide abortion-inducing drugs in any manner to or from any person or location in Amarillo.”

5. **Prohibits Criminal Organizations. (Section 8-6-6)**

“It shall be unlawful for any criminal organization described . . . to operate or do business in the city of Amarillo.”

“The following entities are declared to be criminal organizations: Any organization that violates 18 U.S.C. § 1461 by using the mails for the mailing, carriage in the mails, or delivery of: any article or thing designed, adapted, or intended for producing abortion; or any article, instrument, substance, drug, medicine, or thing which is advertised or described in a manner calculated to lead another to use or apply it for producing abortion; any organization that violates 18 U.S.C. § 1462 by: using any express company or other common carrier or interactive computer service for carriage in interstate or foreign commerce of any drug, medicine, article, or thing designed, adapted, or intended for producing abortion; knowingly taking or receiving, from such express company or other common carrier or interactive computer service, any matter or thing described . . . any organization that violates the enacted abortion statutes of any state or local jurisdiction, regardless of whether the statutes or the enforcement of those statutes has been enjoined or declared unconstitutional by a court; and any affiliate of an organization described…”

6. **Prohibits the Disposal of the Remains of an Unborn Child. (Section 8-6-7)**

“It shall be unlawful for any person to transport the remains of an unborn child who was killed by an elective abortion from any abortion provider into the city of Amarillo, or to dispose of such remains from any abortion provider within the city of Amarillo.”

---

**How would the proposed Amarillo SCFTU Ordinance be enforced?**

According to the Ordinance: “Any person, other than the city of Amarillo, and any officer or employee of the city, has standing to bring and may bring a civil action against any person or entity that: violates any provision of this chapter; or intends to violate any provision of this chapter.”

**What are the statute of limitations for the proposed Amarillo SCFTU Ordinance?**

According to the Ordinance: “Notwithstanding any other law, a person may bring an action under this section not later than the sixth anniversary of the date the cause of action accrues.”

**Does the proposed Amarillo SCFTU Ordinance penalize the mother of the unborn child?**

According to the Ordinance: “Notwithstanding any other law, a civil action under this section may not be brought: against the woman upon whom the abortion was performed or induced or attempted to be performed or induced in violation of this ordinance, or against a pregnant woman who intends or seeks to abort her unborn child in violation of this ordinance.”