

VOTERS IN RAINS COUNTY, TX, THE PRO-LIFE ISSUE, & SCFTU ORDINANCES (01-22-26)

How pro-life are voters in Rains County? During the 2018 Republican Party Primary, voters in the Republican Party Primary had the opportunity to vote on proposition #7. This proposition gave voters the chance to voice their opinion if they were "In Favor" or "Against" the following statement: *"I believe abortion should be abolished in Texas."* In Rains County, out of 1,469 votes, 75.56% (1,110) voted in favor of the pro-life proposition while 24.44% (359) voted against the pro-life proposition.



During the 2022 Republican Party Primary, voters in the Republican Party Primary had the opportunity to vote on proposition #5. This proposition gave voters the chance to voice their opinion if they were "In Favor" or "Against" the following statement: *"Texas should enact a state constitutional amendment to defend the sanctity of innocent human life, created in the image of God, from fertilization until natural death."* The percentage of the pro-life vote was even greater in Rains County than two years prior. **In Rains County, out of 1,843 votes, 89.63% (1,652) voted in favor of the pro-life proposition while 10.36% (191) voted against the pro-life proposition.**

While Democrats did not entertain such propositions in their primaries, Kristen Day, who serves as the Executive Director with *Democrats for Life of America* has shared, *"One out of every three Democrats support reasonable regulation of and limits on abortion. We support the county's right to protect preborn life and we urge all pro-life Democrats to support similar initiatives to protect life and truly empower women."*

Sanctuary Cities for the Unborn Since June 11, 2019, a total of 93 cities and 17 counties across seven different states have passed local ordinances going as far as they can to prohibit abortion within their jurisdiction. 76 of these cities and 15 of these counties are in the State of Texas. Cities in Rains County that could pass a Sanctuary City for the Unborn Ordinance include: Emory (pop. 1,600), Point (pop. 1,050), East Tawakoni (pop. 883), and Alba (pop. 502). Rains County (pop. 12,164) could also pass a 'Sanctuary County for the Unborn' ordinance covering the unincorporated area of Rains County.

The Republican Party of Texas 2024 Party Platform and Sanctuary for the Unborn Ordinances

Several provisions found in Sanctuary for the Unborn Ordinances are in full alignment with pro-life planks found in the Republican Party of Texas 2024 Party Platform.

Plank #194(l). Pro-Life: *Abortion is not healthcare, it is homicide. Until the abolition of abortion is achieved, we support laws that restrict and regulate abortion, including but not limited to . . .*

Supporting the right of Texas municipalities to protect mothers and their preborn children in their communities by passing enforceable city ordinances that further ban abortions within their city limits, closing loopholes in state abortion laws.

Plank #194(j). Pro-Life: *We support laws . . .* ***Extending the private cause of action used in the Texas Heartbeat Act to all pro-life laws and policies in Texas.***

Plank #53. Prohibit Abortion Transportation Across State Lines: *We support legislation to prohibit the use of any government funds, as well as the* ***transportation of pregnant women across Texas' state lines***, *for the purpose of procuring an elective abortion and for the provision of* ***a private right of action*** *against all persons and organizations who aid and abet in the harming of the woman, and the killing of her preborn child.*

Plank #142. Preventing Any Death by Abortion: *. . . We support protecting preborn children and their mothers by* ***stopping abortion pill distributors from sending and trafficking these lethal and illegal drugs into Texas*** *and holding those accountable who break state Pro-Life laws by selling and trafficking illegal abortion pills.*

Closest Cities / Counties to Rains County that have passed ‘Sanctuary for the Unborn’ Ordinances:

Hopkins County (pop. 38,784)	25 min away	Passed Ordinance 09-30-25
Como (pop. 758) in Hopkins	31 min away	Passed Ordinance 08-07-25
Tira (pop. 319) in Hopkins	37 min away	Passed Ordinance 12-14-25
Lindale (pop. 6,730) in Hopkins	37 min away	Passed Ordinance 03-24-22
Big Sandy (pop. 1,343) in Upshur	48 min away	Passed Ordinance 05-13-25
Athens (pop. 13,121) in Henderson	51 min away	Passed Ordinance 11-08-22
Brownsboro (pop. 1,036) in Henderson	53 min away	Passed Ordinance 08-16-21
Camp County (pop. 13,094)	57 min away	Passed Ordinance 04-30-25
Gilmer (pop. 5,216) in Upshur	57 min away	Passed Ordinance 09-24-19

The Texas Legislature On Political Subdivisions Passing Ordinances Outlawing Abortion

During the **86th Legislative Session**, the State of Texas prohibited any political subdivision in the State of Texas from using taxpayer dollars to fund any abortion provider or any affiliate of an abortion provider. In the prohibition the State Legislature made clear that the law may not be construed to restrict a municipality or county from prohibiting abortion. See Tex. Gov’t Code § 2273.005. (“*This chapter may not be construed to restrict a municipality or county from prohibiting abortion.*”)

During the **87th Legislative Session**, the State of Texas explicitly allowed municipalities and counties to outlaw and prohibit abortion, and to establish penalties and remedies against those who perform or enable unlawful abortions. See Tex. Gov’t Code § 311.036(b) (“*A statute may not be construed to restrict a political subdivision from regulating or prohibiting abortion in a manner that is at least as stringent as the laws of this state unless the statute explicitly states that political subdivisions are prohibited from regulating or prohibiting abortion in the manner described by the statute.*”)

While the **Texas Attorney General’s Office** has stated that cities could always do this (See *Planned Parenthood v. City of Lubbock*, 2021), the passage of this provision in SB 8 (*The Texas Heartbeat Act*) made it explicitly clear that cities and counties had such authority.



In August 2023, 20 Texas Senators and Representatives penned a letter in support of cities and counties passing ordinances outlawing abortion across the State of Texas. The letter read: “*Currently there are over 50 political subdivisions in Texas which have passed local ordinances prohibiting abortion within their jurisdictions. As elected officials who voted for state legislation allowing these local actions, we are thrilled to see this wave of pro-life action at the local level and hope to see these ordinances continue to spread across our state - even in a post-Roe Texas. While it is true that abortion is outlawed in the entire State of Texas, from the point of conception, our work is far from over. Right now, throughout the State of Texas, women are being trafficked across our borders by abortion traffickers funded by abortion trafficking organizations still operating in our state. As a result, these women are being abused and traumatized by abortion across our Texas-New Mexico border and sent back to Texas for our cities and counties to deal with the aftermath taking place in our homes,*

our schools, our churches, and our hospitals. The Sanctuary for the Unborn ordinances seek to protect these institutions by putting safeguards in place to protect men, women, and their children for years to come. **These ordinances, which seek to close as many loopholes as possible, do not penalize women who seek or undergo abortions, but places the penalty on the party who most deserves it - the abortionist and the industry profiting from the unjust procedure, including abortion traffickers.**"

The Problem of Abortion Trafficking

These measures are extremely important because abortion facilities in New Mexico and other states are still committing abortions on Texas residents and are utilizing a variety of abortion trafficking organizations located in Texas to help pregnant mothers get to their state to end the lives of their unborn children. Those groups, involved in abortion trafficking, include: the Lilith Fund, Texas Equal Access (TEA) Fund, and Fund Texas Choice. These organizations provide financial support for Texas residents who are traveling outside the State of Texas for an elective abortion. Abortion trafficking organizations often assist with everything from flights, bus tickets, ride shares, and hotel stays to cash for gas, food, rental car fees, and anything else relating to their abortion travel experience.

In New Mexico and Illinois, abortion trafficking organizations have even helped Texas minors obtain abortions without parental consent.

In addition to the problem of abortion trafficking, there is also the problem of the mailing of abortion-inducing drugs into Texas. Deadly abortion-inducing drugs are being sent to Texas residents from all over the nation, sometimes even from other countries through groups like Aid Access and Plan C. A recent study published by the Ethics and Public Policy Center (EPPC), found that nearly 11% of women (10.93%) experience sepsis, infection, hemorrhaging, or other serious or life-threatening adverse events following a mifepristone abortion."

While abortion trafficking Texas residents outside of our state and abortion-inducing drugs being trafficked into our state are both horrible, the dead bodies of unborn children are also being trafficked into our state by Texas waste management companies and ending up in our local landfills. All of these horrible practices are addressed in Sanctuary County for the Unborn ordinances.

How would the proposed SCFTU Ordinance be enforced? The proposed SCFTU Ordinance would be enforced the same way the Lubbock SCFTU Ordinance, Lubbock County SCFTU Ordinance, and the Texas Heartbeat Act are enforced - through a private right of action allowing private citizens to file a lawsuit against anyone violating the measure. This enforcement mechanism has had much success. Professor Josh Blackman, a law professor at South Texas College of Law Houston, addressed how Lubbock's Sanctuary City for the Unborn ordinance is enforced in a May 5, 2021 article published by *The Texan* titled, "[Lubbock Stakeholders, Lawyers Weigh in on Vague Future of Abortion Ban](#)," Professor Blackman stated:



“It’s actually a very clever ordinance, the way they’ve devised it. Usually, the way laws work is the government enforces it. So let’s say the city or county puts a restriction on abortion.... With the usual law, when the government enforces it, Planned Parenthood can bring what’s called a pre-enforcement challenge. It says, ‘Well, this law hasn’t been enforced yet, but they will enforce it, and when they do enforce it, we’ll have our rights violated. So we can sue now. This ordinance is different. It specifically says government, the Lubbock government, cannot enforce this law. Cannot. The only people who can enforce this law are private citizens...Why is this fact important? It’s almost impossible to do a pre-enforcement challenge when the government’s not enforcing it. In other words, they can sue the government – which they probably will try to – and the court will say, ‘Well, that’s nice, but the government can’t enforce this law, so what are you suing them for?’ There’s no way for a court to hear the validity of this law until someone actually brings a civil lawsuit.”

Professor Blackman is not the only law professor who has recognized the enforceability of the law. In her book *Roe: The History of a National Obsession*, published by Yale University Press, University of California Davis School of Law professor Mary Ziegler explained, “Generally, federal standing doctrine required not only that someone suffer a real injury at the hands of the defendant but also that a favorable judicial decision could provide some form of redress. When it came to redress, [Jonathan] Mitchell and [Senator Bryan] Hughes relied on a 2001 case called *Okpalobi v. Foster*.” Ziegler continued, “In 1999, Louisiana had passed a law allowing women to sue abortion providers for injuries to their unborn children. When abortion providers challenged the constitutionality of the law, the Fifth Circuit Court of Appeals concluded that they lacked standing to sue the state because the government and its agents could neither stop private citizens from suing nor block state courts from entertaining suits. Hughes and Mitchell thought the same argument could apply to Waskom: because the sanctuary city ordinance assigned enforcement to private citizens, the city would have no authority to stop private citizens from suing, and courts would hold that any abortion provider hauling the city into court lacked standing to do so.” The success of this law was realized on June 1, 2021, when Lubbock’s Sanctuary City for the Unborn ordinance went into effect and the Lubbock Planned Parenthood complied with the law. Within a matter of hours, Judge James Wesley Hendrix ruled in the City of Lubbock’s favor. Ziegler wrote:

“District judge James Wesley Hendrix, whom Donald Trump had nominated in 2019, agreed with Lubbock that federal courts had no jurisdiction to hear the case because abortion providers lacked standing to sue. ‘Like the defendants in *Okpalobi*,’ Judge Hendrix wrote, ‘the city and its officials have no authority to prevent a private plaintiff from invoking the ordinance or to tell the state courts what cases they may hear.’”

A Few Statements from Elected Officials After their vote, Camp County Judge A.J. Mason shared, *“I am so proud of our commissioners court for the strong position taken on protecting the unborn. I can think of no greater cause to be a part of than defending those who can’t defend themselves. This is a great day.”* Upon hearing the news about the passage of the ordinance in Camp County, State Representative Cole Hefner wrote,

“While I couldn’t be there in person due to session in Austin, I’m incredibly proud to celebrate some powerful news out of Camp County this morning. With a unanimous 5-0 vote, the Commissioners’ Court passed an ordinance officially making Camp County a Sanctuary County for the Unborn – the first in East Texas, the eighth in our state, and the tenth in the entire nation to do so. This bold step not only outlaws abortion within the unincorporated areas of the county, but it also prohibits abortion trafficking and the aiding and abetting of elective abortions—even when those efforts begin or pass through Camp County.”