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Contact: Matthew Dowling
Email: Matthew.Dowling@senate.texas.gov
Phone: 806-783-9934



SEN. CHARLES PERRY'S STATEMENT REGARDING THE PRO-LIFE VICTORY OVER PLANNED PARENTHOOD IN LUBBOCK

LUBBOCK, TX – In a major and historic victory for the right to life, Planned Parenthood is dropping its lawsuit over the City of Lubbock’s abortion ban, ensuring that the ordinance will remain in effect and ending the months-long courtroom battle over city’s abortion law.

With over 63% of voters supporting the proposition, Lubbock overwhelmingly passed the Sanctuary for the Unborn Ordinance. The Lubbock ordinance, which outlaws abortion within city limits, was approved by the voters on May 1, 2021, and took effect on June 1, 2021, ending access to abortion in Lubbock and forcing Planned Parenthood to halt the provision of abortion-related services in the city.

Senator Charles Perry, who championed the ordinance, said, “I congratulate the City and the people of Lubbock on this historic victory—and for becoming the first jurisdiction in the United States to successfully defend an abortion ban in court since *Roe v. Wade*. This is an answer to so many of our prayers.”

“With the Texas Heartbeat Act taking effect last September, and with Lubbock having outlawed abortion within city limits, the state of Texas is leading the way on protecting the unborn despite the continued existence of *Roe v. Wade*. Texas and Lubbock have shown how states and cities can ban or restrict abortion while immunizing their laws from pre-enforcement judicial review. I encourage other cities in Texas and throughout the United States to adopt similar ordinances.”

Planned Parenthood sued the city last year to halt enforcement of the ordinance, but a federal district court dismissed Planned Parenthood’s lawsuit for lack of jurisdiction. Planned Parenthood appealed that ruling but announced on Thursday that it was dropping its appeal and ending its litigation over the ordinance.

The Lubbock ordinance marks the first time that an abortion ban has survived court challenge in the United States since *Roe v. Wade*. The ordinance is structured in a manner similar to the Texas Heartbeat Act, which outlaws abortion after a fetal heartbeat is detectable but prohibits state officials from enforcing the law, instead authorizing private citizens to sue those who perform or aid or abet illegal abortions. By adopting this unique private-enforcement structure, the city of Lubbock made its ordinance immune from pre-enforcement lawsuits because neither the city nor its officials have any role in enforcing the law, so they cannot be subjected to lawsuits that challenge the constitutionality of the ordinance.

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