

By: Bucy

H.B. No. 1426

A BILL TO BE ENTITLED

AN ACT

relating to a prohibition on the issuance or enforcement of a search warrant, subpoena, or other court order for certain menstrual health data.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 18, Code of Criminal Procedure, is amended by adding Article 18.0216 to read as follows:

Art. 18.0216. MENSTRUAL HEALTH DATA: SEARCH AND SEIZURE PROHIBITED. (a) In this article, "menstrual health data" means any information, recorded in any format, that is created or received by an entity and that relates to or is used to determine, predict, or estimate an individual's past, present, or future menstrual health or menstrual cycles.

(b) Notwithstanding Article 18.02 or any other provision of this code, a magistrate may not issue a search warrant, subpoena, or other court order, and a law enforcement agency may not serve, execute, or otherwise enforce a search warrant, subpoena, or other court order for purposes of searching for, seizing, or ordering the production of the menstrual health data of an individual, including

data stored on a computer, computer network, or other device
containing electronic or digital information.

(c) Menstrual health data obtained in violation of this
article and expert testimony related to the data are inadmissible
in a criminal action.

SECTION 2. This Act takes effect September 1, 2025.