



Texas Trends Survey 2021

Abortion & Transgender Athlete Policies

HOBBY
SCHOOL OF PUBLIC AFFAIRS
UNIVERSITY of HOUSTON



TEXAS SOUTHERN UNIVERSITY

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The Hobby School of Public Affairs at the University of Houston and the Executive Master of Public Administration Program in the Barbara Jordan – Mickey Leland School of Public Affairs at Texas Southern University are conducting a five-year survey project to study Texas’s changing population, with emphasis on the state’s Black, Latino and Asian residents. In addition to a representative sample of all Texans, the inaugural survey includes an oversample of the former two groups in the first report to allow for an objective and statistically valid report of their diverse opinions and experiences.

The first survey of this five-year project focused on opinions about recently passed legislation during the 2021 regular and special sessions of the Texas Legislature and preferences related to electric vehicles and criminal justice issues. The survey was fielded between October 4 and October 21, 2021 in English and Spanish, with 2,067 YouGov respondents 18 years of age and older, resulting in a confidence interval of +/-2.2. The respondents were matched to a sampling frame on gender, age, race/ethnicity, and education and are representative of the Texas adult population.

The results of the 2021 survey will be presented in four separate reports: abortion and transgender athletes policies, redistricting and election reform, electric vehicles, and criminal justice.

This report examines Texans’ attitudes related to public policies governing abortion and to recent legislation passed in Texas that requires male public school students to compete only in UIL sports associated with their biological sex.

Executive Summary

Texas adults were queried about under what conditions abortion should be legal at several stages of pregnancy: immediately after six weeks (the current Texas law before the U.S. Supreme Court), after 15 weeks (the Mississippi law before the U.S. Supreme Court), and after 20 weeks (the Texas law prior to Sept. 2021).

Senate Bill 8 (SB 8), the 2021 Texas abortion law, provides no exceptions for either rape or incest, and only permits abortion after six weeks if the mother’s life is at risk. More than two-thirds (69%) of Texans hold the position that the current Texas abortion legislation is too restrictive, with almost half (46%) believing abortion should be legal in most or all cases immediately after six weeks, and close to one-fourth (23%) thinking that abortion should be allowed after six weeks only in the event of rape or incest or risk to the mother’s life.

However, when Texans are asked how much they support or oppose legislation (SB 8) banning abortion after a “fetal heartbeat” could be detectable (around six weeks of pregnancy) except to save the mother’s life: 37% of Texans strongly support the legislation, 18% somewhat support it, 11% somewhat oppose it, and 34% strongly oppose it. In sum, among those Texans with an opinion, a narrow majority

of 55% supports the legislation while 45% opposes it. This legislation is supported by three-fourths of those Texans whose preferred abortion policy at six weeks is to allow abortion only in the case of rape or incest, exceptions absent from SB 8, in addition to if the mother's life is at risk.

In regard to the restrictions contained in the Mississippi law prohibiting abortion after 15 weeks, except in the event the mother's life is at risk or there is severe fetal abnormality, 30% believe abortion should be legal in all or most cases and 31% believe abortion should always be illegal. Two-fifths believe abortion should only be legal in the case of rape, incest or if the mother's life is at risk (23%) or only if the mother's life is at risk (16%).

Since 2013, Texas has prohibited abortion after 20 weeks except when the mother's life is at risk. This legislation is not seen as too restrictive by a majority (57%) of Texans. Almost two in five (37%) believe abortion should be illegal in all cases after 20 weeks while another 20% believe abortion should only be legal if the mother's life is a risk. One-fifth (22%) support abortion after 20 weeks only in the case of rape, incest or if the mother's life is at risk while 21% support allowing abortion after 20 weeks in all or most cases.

Black (61%, 42%) Texans are significantly more likely than white (44%, 30%) and Latino (45%, 27%) Texans to believe abortion should be legal in most or all cases after six and 15 weeks, respectively.

Support among Democrats for abortion being legal in most or all cases after six, 15 and 20 weeks is 67%, 51% and 35%, respectively, compared to only 27%, 10% and 7% among Republicans. In contrast, 34%, 45% and 53% of Republicans hold the position that abortion should always be illegal at six, 15 and 20 weeks, respectively, compared to only 10%, 18% and 21% of Democrats.

Approximately two-thirds of Texans support allowing an abortion when the baby's hope of surviving for a long time after birth is near zero (67%) and when the baby would be born with a life threatening disease (65%). If the baby would be born with a serious disability, 58% of Texans favor allowing an abortion to take place.

The respondents were asked about their level of support for House Bill 25 (HB 25) from the 2021 third special session. It requires male Texas public high school and middle school students to compete only in sports associated with their biological sex, such that a transgender female is ineligible to compete in athletics with biological females. More than one-half (55%) of Texans strongly support HB 25, along with 15% who somewhat support it for a total proportion of support of 70%. Only 17% of Texans strongly oppose the legislation while 13% somewhat oppose it. More than nine out of every ten (91%) Republicans support HB 25 compared to 73% of Independents and 48% of Democrats.

Survey Population Demographics

The weighted survey population is split almost equally between women (51%) and men (49%). Whites account for 45% of the survey population, Latinos 37%, Blacks 12%, Asian Americans 4%, and others 2%. In regard to generations, 31% of the population belongs to the combined Silent Generation (born between 1928-1945) and Baby Boomers (1946-1964) cohort, 27% to Generation X (Gen X) (1965-1980), 31% to the Millennial (1981-1996) generation, and 11% to Generation Z (Gen Z) (1997-2012). Religion is very important in the life of 40% of Texans, somewhat important in the life of 28%, not too important in the life of 14%, and not at all important in the life of 18%. Finally, 31% of the population identifies as Democrat, 30% as Republican, and 28% as Independent, with 8% unsure and 3% who identify with another political party or group.

Texans and Abortion Policies

The survey respondents were queried about under what conditions abortion should be legal at five distinct stages of pregnancy. The first stage of pregnancy is immediately after six weeks (at which time a fetal heartbeat could be detectable and the period contained in the Texas law presently before the U.S. Supreme Court). The second stage of pregnancy is immediately after 12 weeks (the end of the first trimester). The third stage of pregnancy is immediately after 15 weeks (the period specified in the Mississippi law that is presently before the U.S. Supreme Court). The fourth stage of pregnancy is immediately after 20 weeks (the period specified in Texas's 2013 "fetal pain" legislation). The fifth stage is immediately after 24 weeks (the period specified under Roe v. Wade with fetal viability outside the womb generally possible by this point). The response options were: legal in all cases, legal in most cases, legal only if the mother's life is at risk or in the case of incest or rape, legal only if the mother's life is at risk, illegal in all cases, and no opinion.

Table 1 displays the opinions of Texans regarding under what conditions they believe abortion should be legal during these five distinct stages of pregnancy (here we focus on the proportions excluding the don't know responses).

TABLE 1: Public Opinion on Abortion Legality at Five Stages of Pregnancy: When Should Abortion be Legal? (%)

Stages of Pregnancy	In All Cases	In Most Cases	Only if Rape or Mother's Life at Risk	Only if Mother's Life at Risk	Always Illegal	Don't Know
After 6 Weeks	32	9	20	8	19	13
	36	10	23	9	22	
After 12 Weeks	24	9	19	11	23	14
	28	10	22	13	27	
After 15 Weeks	19	7	20	14	26	14
	22	8	23	16	31	
After 20 Weeks	12	6	19	17	31	15
	14	7	22	20	37	
After 24 Weeks	10	4	17	17	37	15
	11	5	20	20	44	

Note: Second row excludes Don't Know responses.

More than one-third (36%) of Texans believe that after six weeks, abortion should be legal in all cases, followed by another 10% who believe it should be legal in most cases. Another 23% believe that after six weeks, abortion should be legal only in the case of rape, incest, or the mother's life being at risk.

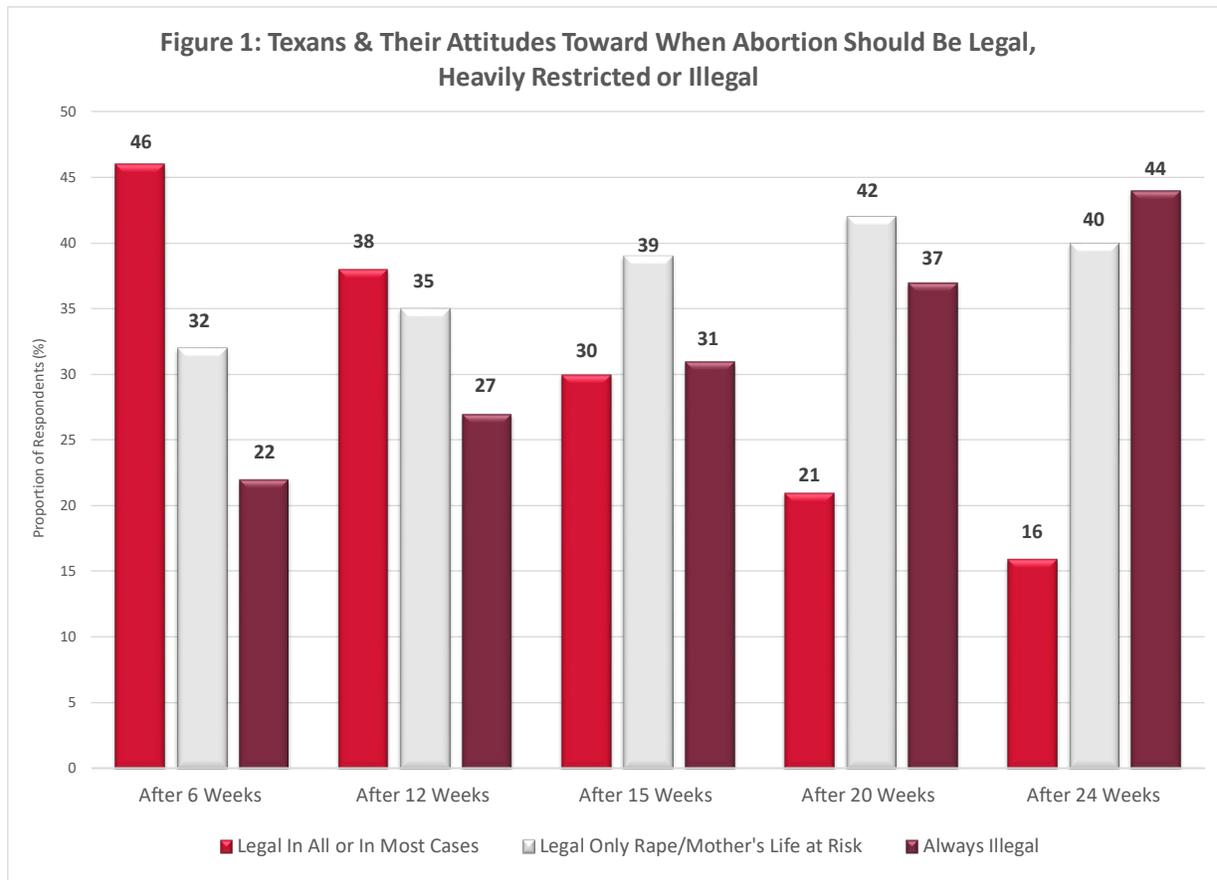
The Texas abortion law (Senate Bill 8 from the 2021 regular legislative session) that is presently under review by the U.S. Supreme Court provides no exception for either rape or incest. More than two-thirds of Texans (69%) therefore believe the current Texas abortion legislation is too restrictive, with almost half (46%) believing abortion should be legal in most or all cases after 6 weeks, and another one-fifth (23%) of the opinion that abortion should be allowed after six weeks only in the event of rape or incest, exceptions not contained in the current legislation.

One in ten (9%) Texans believe that abortion should be legal after six weeks if the mother's life is at risk while one-fifth (22%) think that abortion after six weeks should always be illegal. Thus, fewer than one in three (31%) Texans believes that abortion legislation in the Lone Star State should be as restrictive as specified by SB 8.

In regard to the restrictions contained in the Mississippi law prohibiting abortion after 15 weeks except in the case of the mother's life being at risk or severe fetal abnormality, the Texas population is relatively evenly split between those who believe the legislation is too restrictive and those who believe it is too permissive. Slightly less than one-third (30%) of Texans believe that abortion should be either legal in all (22%) or most (8%) cases after 15 weeks. And, almost a third (31%) believe abortion should be illegal in all cases after 15 weeks. Another two-fifths (39%) believe that abortion should only be legal after 15 weeks in the case of rape, incest or if the mother's life is at risk (23%) or only if the mother's life is at risk (16%).

Since the passage of House Bill 2 (HB 2) in 2013, Texas has prohibited abortions after 20 weeks except when the mother's life is at risk. HB 2 is not seen as being too restrictive by a majority (57%) of Texans. Almost two in five (37%) believe abortion should be illegal in all cases after 20 weeks while another 20% believe abortion should only be legal if the mother's life is a risk. One-fifth (22%) support abortion after 20 weeks only in the case of rape, incest or if the mother's life is at risk while another one-fifth (21%) supports abortion after 20 weeks in all (14%) or most (7%) cases.

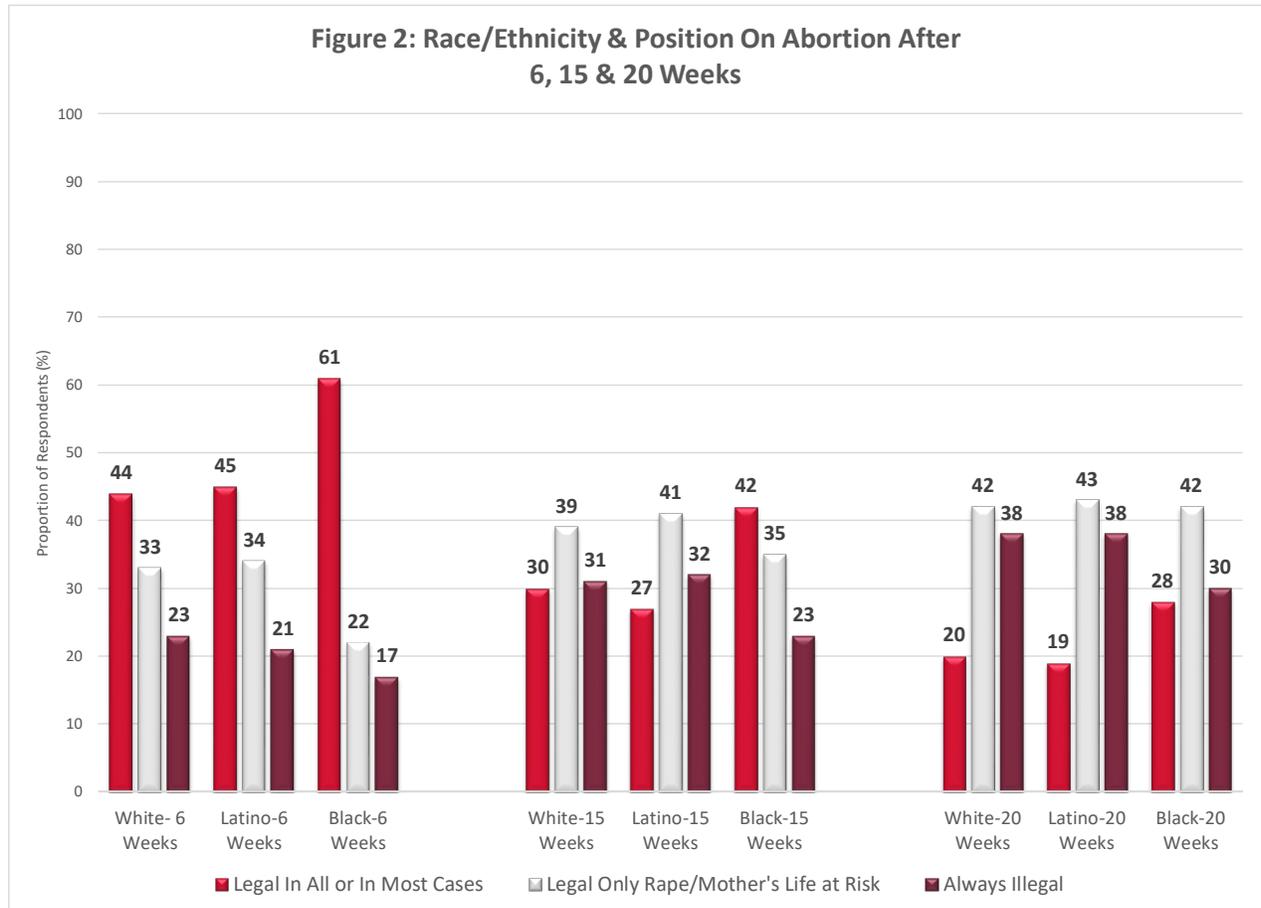
Figure 1 collapses the prior five response options regarding when abortion should be legal into three categories: legal in all or in most cases, legal only in the case of rape, incest and/or if the mother’s life is a risk, and always illegal. The figure highlights the variance in the proportion of Texans in all three categories as the stage of pregnancy lengthens from 6 to 12 to 15 to 20 to 24 weeks.



While 46% of Texans believe abortion should be legal in most or all cases immediately after six weeks, this proportion falls to 38% for after 12 weeks, 30% for after 15 weeks, 21% for after 20 weeks, and 16% for after 24 weeks. Conversely, the proportion of Texans who believe abortion should always be illegal rises from 22% for after six weeks, to 27% for after 12 weeks, to 31% for after 15 weeks, to 37% for after 20 weeks, to 44% for after 24 weeks. The proportion of Texans who believe abortion should only be legal in the event of rape, incest and/or risk to the mother’s health follows a trend (albeit not as steep) comparable to that of those who believe abortion should always be illegal, with 32% holding this position in regard to abortion after 6 weeks, 35% for after 12 weeks, 39% for after 15 weeks, and 42% for after 20 weeks, before modestly declining to 40% for after 24 weeks.

Race/Ethnicity and Abortion Policy Preferences

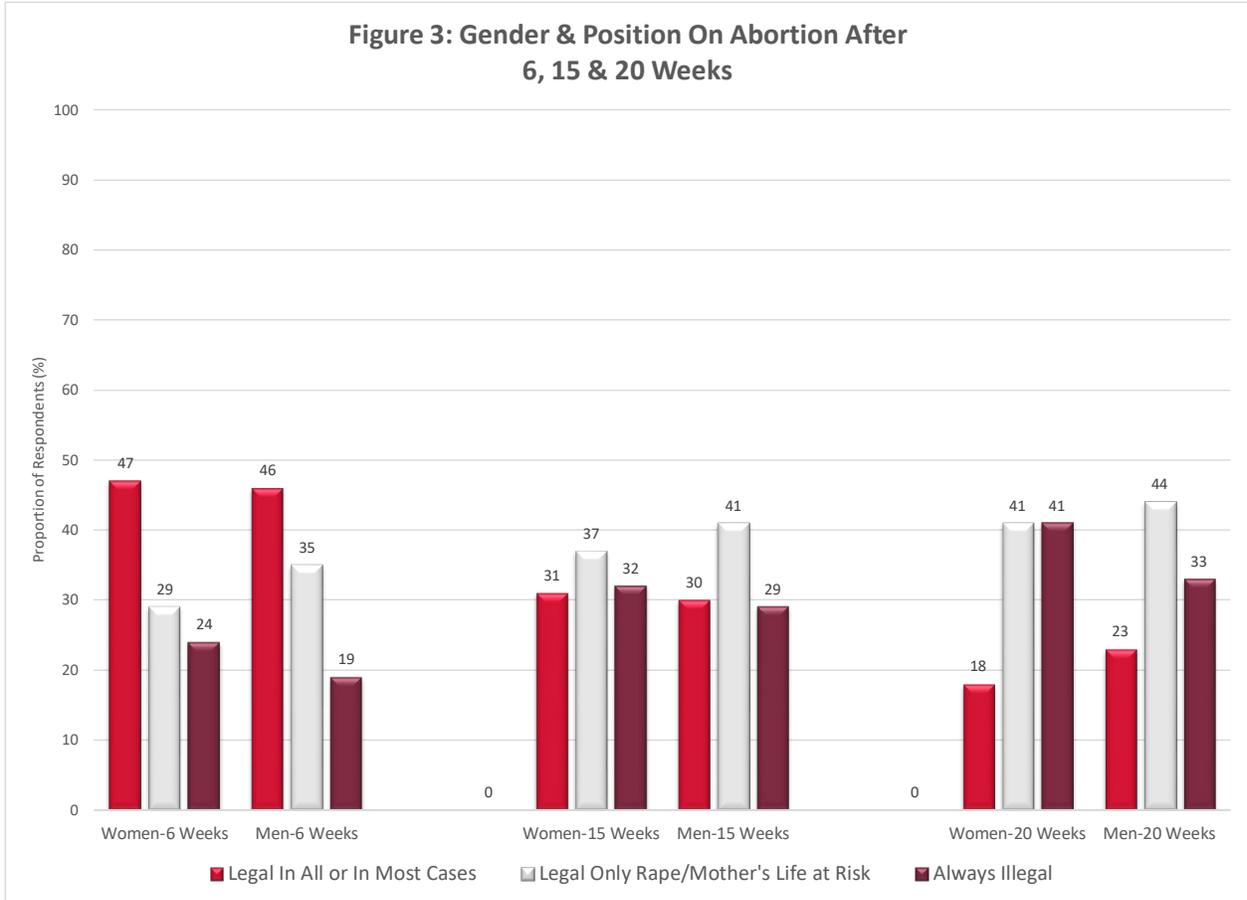
Figure 2 contains information that is comparable to that in Figure 1 for the position of Texans on abortion at six weeks, 15 weeks, and 20 weeks with respondents separated into three racial/ethnic categories: white (Anglo), Latino (Hispanic), and Black (African American).



White and Latino Texans have very similar positions about when and under what conditions abortion should be legal. In contrast, Black (61%) Texans are significantly more likely than white (44%) and Latino (45%) Texans to believe that abortion should be legal in most or all cases after six weeks. Black (42%) Texans are also significantly more likely than either white (30%) or Latino (27%) Texans to hold the position that abortion should be legal in most or all cases after 15 weeks.

Gender and Abortion Policy Preferences

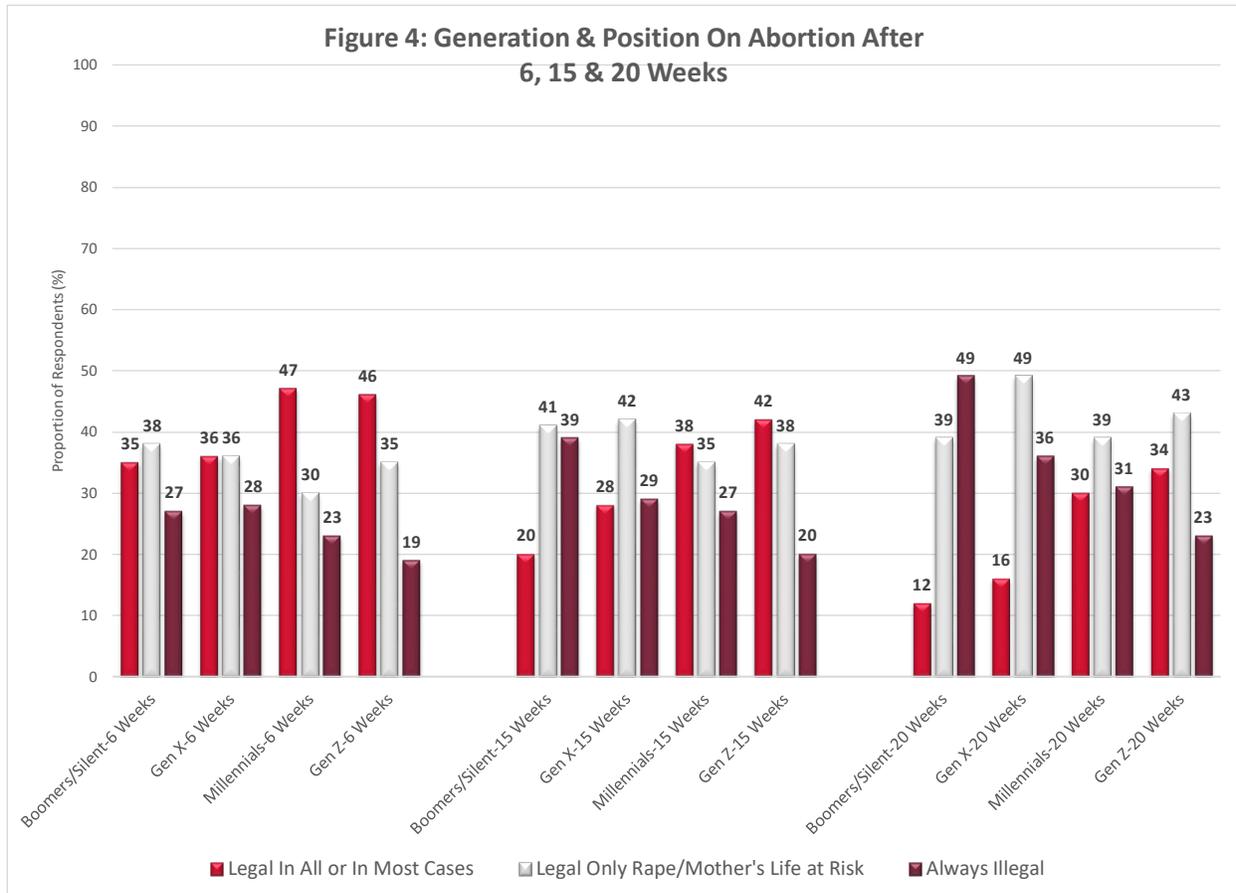
Figure 3 contains information that is comparable to that in Figure 2 for the position of Texans on abortion at six weeks, 15 weeks, and 20 weeks with respondents separated into two gender categories: women and men.



The figure reveals no salient gender differences in regard to abortion, with one minor exception. Women (41%) are significantly more likely than men (33%) to believe abortion should always be illegal after 20 weeks.

Generation and Abortion Policy Preferences

Figure 4 contains information that is comparable to that in Figure 1 for the position of Texans on abortion at six weeks, 15 weeks, and 20 weeks with respondents separated into four generational categories: Silent/Baby Boomer, Gen X, Millennials, and Gen Z.



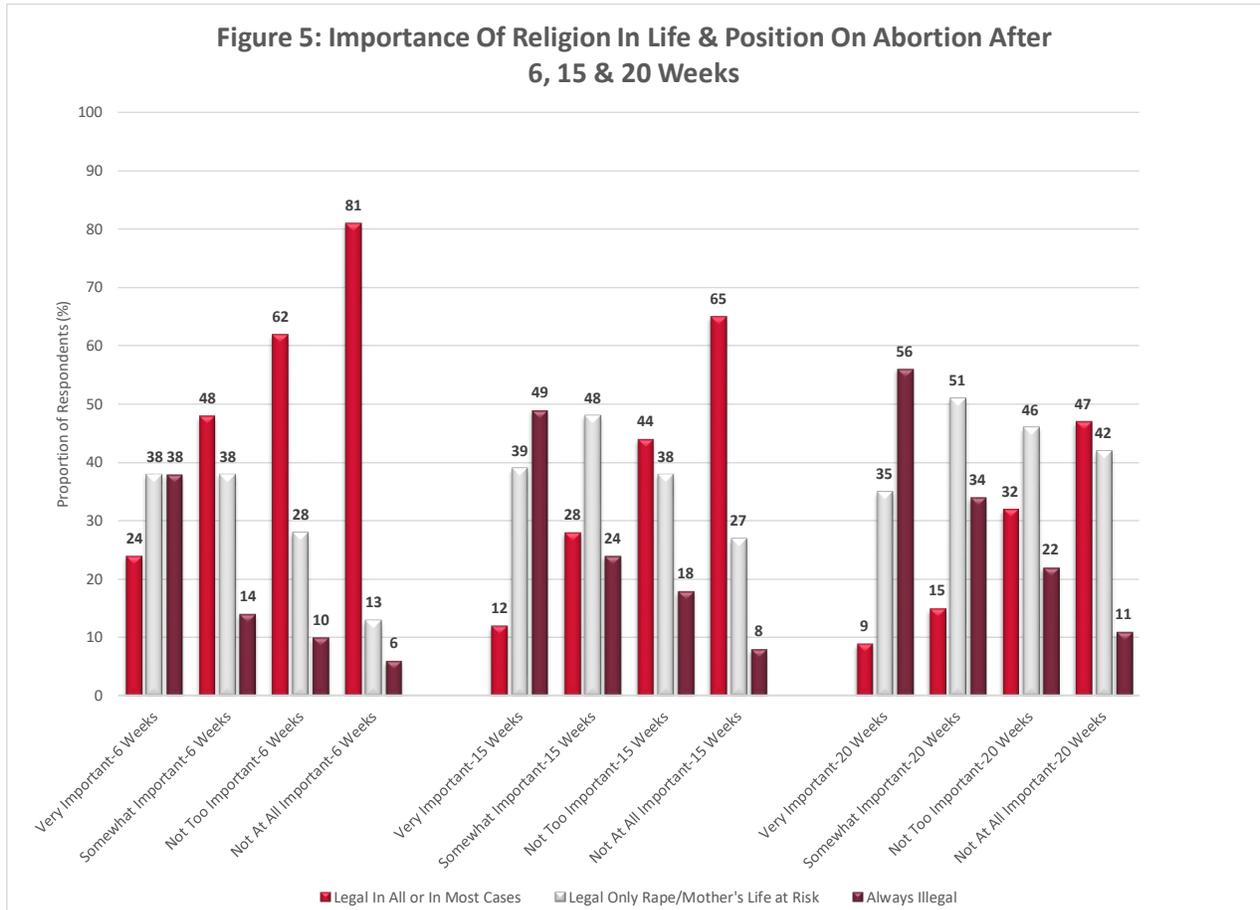
The data reveal relatively sharp generational differences between the Silent/Boomer and Gen X generations on one hand, and the Millennial and Gen Z generations on the other, in regard their position on abortion immediately after six weeks. On average, members of the former two generations tend to be significantly more likely to favor greater restrictions on abortion than members of the latter two generations. For example, while only a little more than a third (35%) of the Boomers/Silent Generation and Gen X (36%) believe abortion should be legal in most or all cases after six weeks, almost half (47% and 46%, respectively) of Millennials and of Gen Z hold this position.

There exists some distance between Gen X and the Baby Boomers/Silent Generation on abortion after 15 weeks, where Gen X (28%) occupies a midpoint between the Boomers/Silent Generation (20%) and Millennials (38%) and Gen Z (42%) in regard to support for abortion in most or all cases.

The dissonance between the two generational pairs continues in regard to abortion after 20 weeks, with only 12% and 16% of the Boomers/Silent Generation and Gen X in support of abortion after 20 weeks in most or all cases, compared to 30% and 34% for Millennials and Gen Z, respectively.

Religiosity and Abortion Policy Preferences

Figure 5 contains information that is comparable to that in Figure 1 for the position of Texans on abortion at 6 weeks, 15 weeks, and 20 weeks with respondents broken into four religiosity categories based on the importance of religion in their life: very important, somewhat important, not too important, or not at all important.

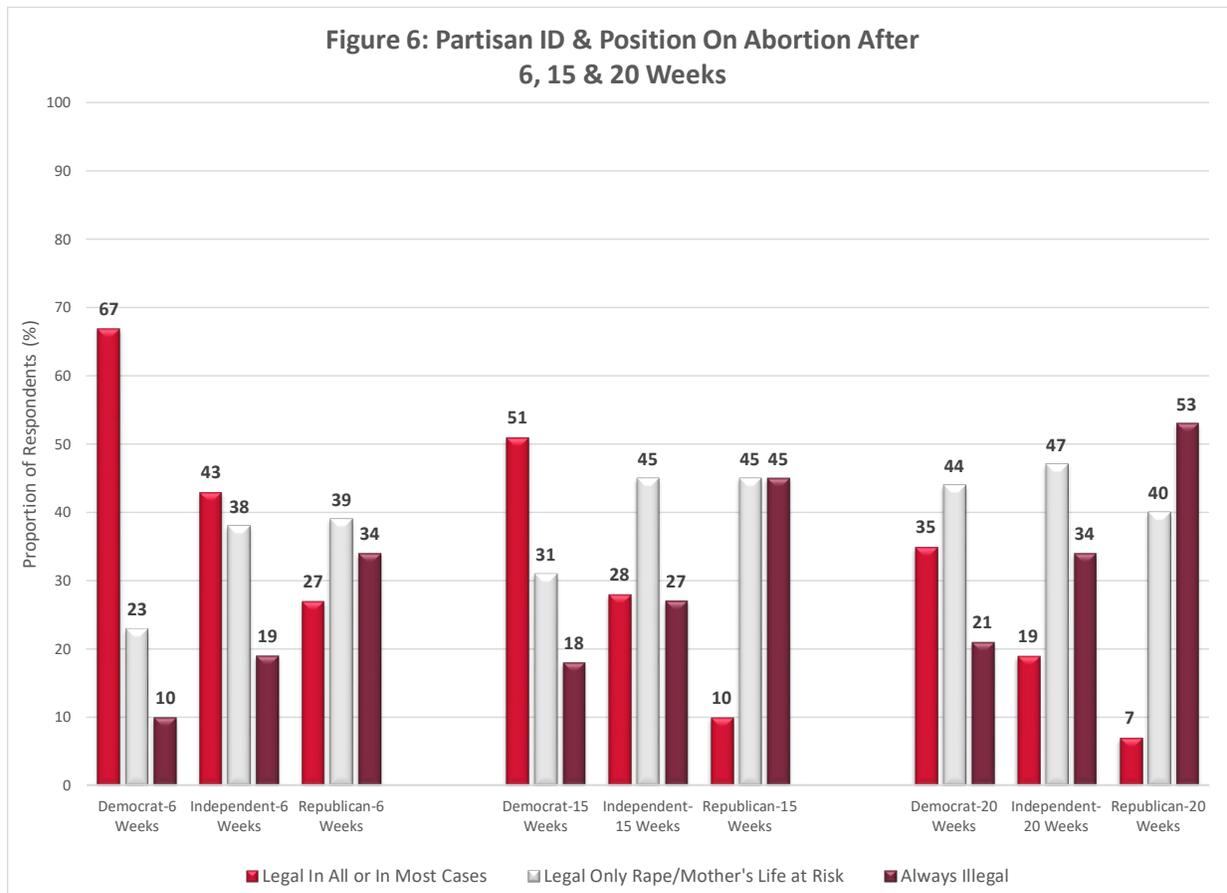


There is a very strong and powerful relationship between the importance of religion in a person's life and their position on abortion after six, 15, and 20 weeks. As religiosity increases, support for restrictions on abortion increases, just as when religiosity decreases, support for restrictions on abortion decreases.

For example, among those Texans for whom religion is very important in their life, only 24%, 12% and 9% believe abortion should be legal in most or all cases after six, 15 and 20 weeks, respectively. In sharp contrast, among those Texans for whom religion is not at all important in their life, 81%, 65% and 47% believe abortion should be legal in most or all cases after six, 15 and 20 weeks, respectively. In a similar vein, among those Texans for whom religion is not at all important in their life, only 6%, 8% and 11% believe abortion should always be illegal at six, 15 and 20 weeks, respectively, compared to 38%, 49% and 56% of those Texans for whom religion is very important in their life.

Partisan ID and Abortion Policy Preferences

Figure 6 contains information that is comparable to that in Figure 1 for the position of Texans on abortion at six weeks, 15 weeks, and 20 weeks with respondents broken into three groups based on their partisan identification: Democrat, Independent, or Republican.



There is a very strong and substantial relationship between a person’s partisan identification and their position on abortion. Support among Democrats for abortion being legal in most or all cases after six, 15 and 20 weeks is 67%, 51% and 35%, respectively, compared to only 27%, 10% and 7%, respectively, among Republicans. In contrast, 34%, 45% and 53% of Republicans hold the position that abortion should always be illegal at six, 15 and 20 weeks, respectively, compared to only 10%, 18% and 21% of Democrats. Independents occupy a middle ground with 43%, 28% and 19% believing abortion should be legal in most cases after 6, 15 and 20 weeks, respectively, and 19%, 27%, and 34% believing it should always be illegal at the same respective stages of pregnancy.

Texans and the Texas Ban on Abortion After 6 Weeks

During the 2021 regular Texas legislative session, legislation was passed (Senate Bill 8, SB 8) that allowed individual citizens to sue anyone who facilitates an abortion after six weeks (generally the time at which a “fetal heartbeat” is detectable), except if the mother’s life is at risk. The survey respondents were asked how much they support or oppose banning abortion after a “fetal heartbeat” is detectable (which is generally around 6 weeks of pregnancy) except when the abortion is necessary to save the mother’s

life. The response options were strongly support, somewhat support, somewhat oppose, strongly oppose, and don't know.

Table 2 provides the responses of the survey population to this question, both including and excluding the respondents who answered don't know.

Among the former (that is, including don't know responses), 32% of Texans strongly support the legislation, 16% somewhat support it, 10% somewhat oppose it, and 29% strongly oppose it. In sum, among all Texans, 48% support the legislation while 39% oppose it, with 13% lacking an opinion on the legislation.

Among the latter (who did not answer don't know), 37% of Texans strongly support the legislation, 18% somewhat support it, 11% somewhat oppose it, and 34% strongly oppose it. In sum, among those Texans with an opinion, a narrow majority of 55% supports the legislation while 45% oppose it.

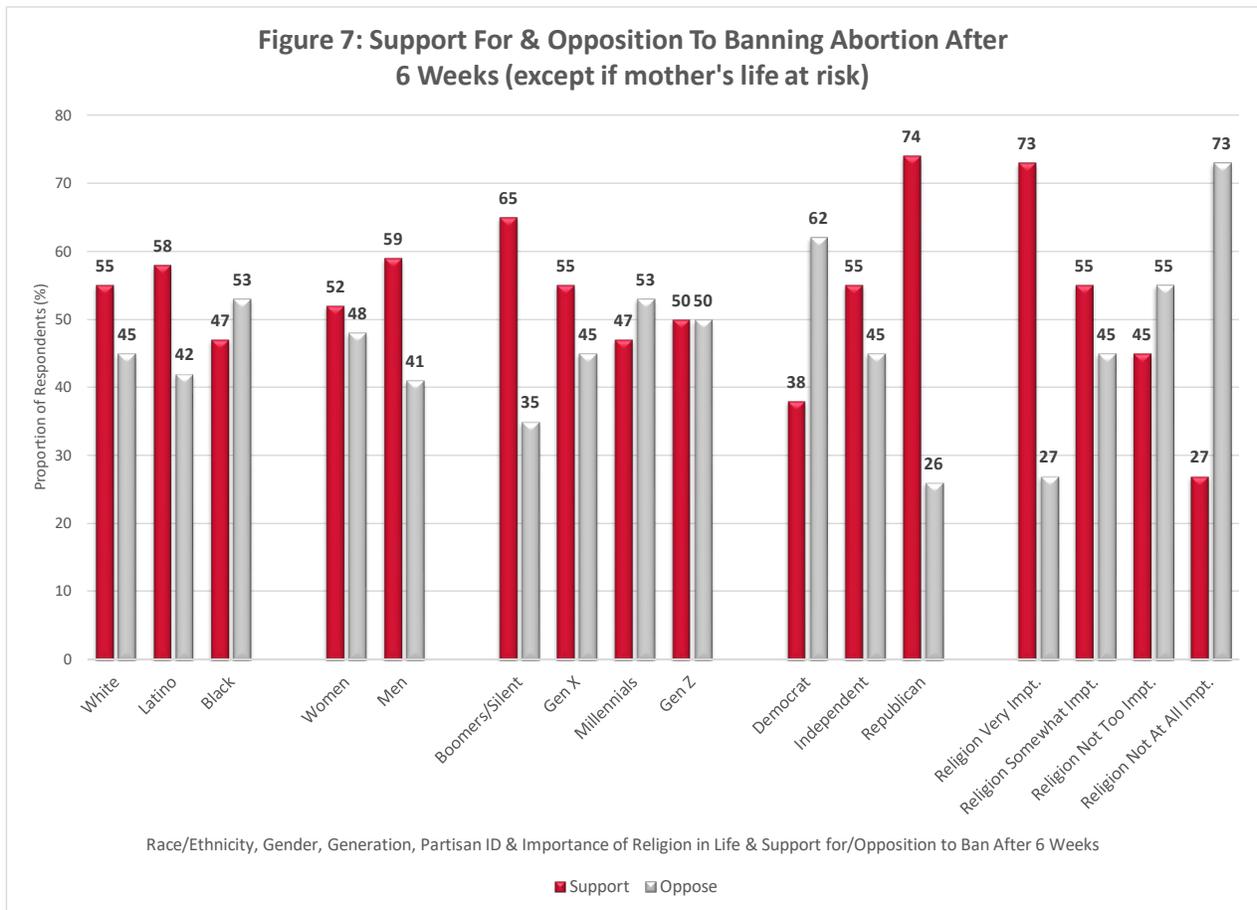
In the previous section it was noted that 69% of Texans believe that SB 8 is too restrictive, with 46% believing abortion should be legal in most or all cases immediately after six weeks, and another 23% of the opinion that abortion should be legal only in the exceptions or rape, incest or risk to the mother's life, the former two of which are not provided for in SB 8. Another 31% believe that the law is either good as is (9%) or not restrictive enough (23%), with this latter group believing that abortion should always be illegal after six weeks.

More refined analysis was carried out of those Texans whose preference for abortion immediately after six weeks is that it be illegal except in cases of rape, incest, or risk to the mother's life. It turns out that while these Texans would prefer exceptions for rape and incest, when only given the SB 8 option (which only provides for an exception in the event of risk to the mother's life), an overwhelming majority of 75% support SB 8 while only 25% oppose it.

Table 2: Support for & Opposition to Banning Abortion After Six Weeks

Level of Support	All Responses (%)	All Valid Responses (%)
Strongly Support	32	37
Somewhat Support	16	18
Somewhat Oppose	10	11
Strongly Oppose	29	34
Don't Know	13	

Figure 7 collapses the support (strongly and somewhat) and oppose (strongly and somewhat) categories into two categories. It then provides the level of support for and opposition to the legislation among sub-groups based on race/ethnicity, gender, generation, partisan ID, and importance of religion in the respondent's life.



Slightly more than one half of white (55%) and Latino (58%) Texans support a ban on abortion after six weeks except if the mother's life is at risk, while slightly less than half of Black (47%) Texans support the ban.

A majority of both women (52%) and men (59%) support the ban on abortion after six weeks.

Almost two-thirds of Boomers/Silent Generation members (65%) support the ban on abortion after six weeks, followed by Gen X (55%), Gen Z (50%), and Millennials (47%).

Republicans (74%) are significantly more likely than Democrats (38%) to support the ban on abortion after six weeks, with Independents occupying a location in between (55%).

Finally, among Texans for whom religion is very important in their life, almost three-fourths (73%) support the ban on abortion after six weeks. They are followed by more than half (55%) of those for whom religion is somewhat important, 45% of those for whom religion is not too important, and only slightly more than one-fourth (27%) of those for whom religion as not at all important in their life.

Texans and Four Abortion Scenarios

In the survey, Texans were asked about the extent to which they would support or oppose allowing a pregnant woman to obtain a legal abortion under four different scenarios: if the baby would be born with a life-threatening illness; if the baby would be born with a serious disability; if the baby's hope of surviving for very long after birth is near zero; and if the baby's sex is not the one wanted by the mother.

Table 3 provides the distribution of the population the proportion of Texans who strongly support, somewhat support, somewhat oppose, and strongly oppose allowing a woman to have an abortion under the scenario, along with the proportion who answered don't know (the discussion here focuses on the results excluding the don't know responses).

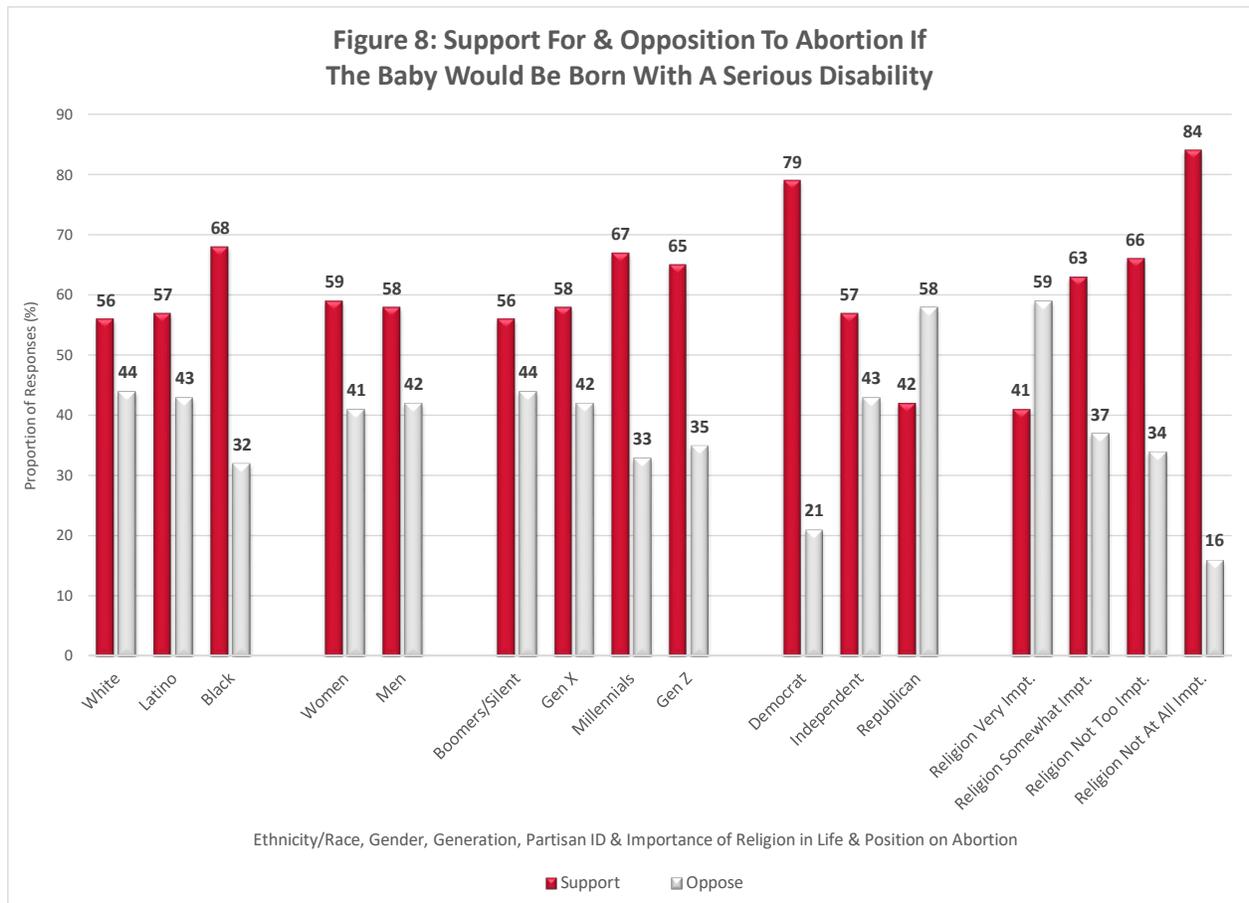
Table 3: Support For & Opposition To Abortion Under Four Scenarios (%)

Four Abortion Scenarios	Strongly Support	Somewhat Support	Somewhat Oppose	Strongly Oppose	Don't Know
Baby would be born with a life threatening disease	33	22	10	19	16
	39	26	12	23	
Baby would be born with a serious disability	30	19	12	23	16
	36	22	14	28	
Baby's hope of surviving for a long time after birth near zero	37	19	10	19	15
	44	23	11	22	
Baby's sex is not the one wanted by the mother	7	5	7	69	12
	8	5	8	79	

Note: Second row excludes Don't Know responses.

A majority of Texans either strongly support or somewhat support allowing an abortion to occur under three of the four scenarios. Approximately two-thirds (67% and 65%, respectively) support allowing an abortion when the baby's hope of surviving for a long time after birth is near zero and when the baby would be born with a life threatening disease. If the baby would be born with a serious disability, almost three-fifths (58%) of Texans favor allowing an abortion to take place. In sharp contrast, only 13% of Texans favor allowing an abortion to occur because the baby's sex is not the one wanted by the mother.

Figure 8 collapses the support (strongly and somewhat) and oppose (strongly and somewhat) categories into two categories for allowing an abortion to occur if the baby would be born with a serious disability. It then provides the level of support for and opposition to the legislation among sub-groups based on race/ethnicity, gender, generation, partisan ID, and importance of religion in life.



As was the case in prior results, nearly identical proportions of white (56%) and Latino (57%) Texans support allowing an abortion if the baby would be born with a serious disability, something that is supported by a significantly higher proportion of Black (68%) Texans.

The positions of women and men on this issue are virtually identical, with 59% of women and 58% of men in support.

While a majority of all four generational groups supports allowing an abortion to occur if the baby would be born with a serious disability, this support is greater among Millennials (67%) and Gen Z (65%) than among Gen X (58%) and the Baby Boomers/Silent Generation (56%).

More than three-fourths (79%) of Democrats and more than one-half (57%) of Independents support allowing an abortion to occur if the baby would be born with a serious disability, compared to less than half (42%) of Republicans.

Finally, among the four groups of respondents separated based on the extent to which religion is important in their life, three have majorities of 84% (religion not at all important), 66% (religion not too important), and 63% (religion somewhat important) that support allowing an abortion to occur if the baby would be born with a serious disability. Only among those Texans for whom religion is very important in their life does there not exist a majority (41% in support vs. 59% in opposition) in support of allowing abortion under these circumstances

Texans and Transgender Female High School Athletes

During the third special session of the Texas Legislature in 2021, House Bill 25 (HB 25) was passed, codifying existing protocols governing public high school and middle school athletics (that is University Interscholastic League, or UIL, athletics). The survey respondents were asked about their level of support for this legislation, which would require male Texas public high school and middle school students to compete only in sports associated with their biological sex, such that a transgender female (a biological male who identifies as female) would not be eligible to compete in athletics with biological females. The response options were strongly support, somewhat support, somewhat oppose, strongly oppose and don't know.

Table 4 displays the level of support for this legislation, both with and without the responses of those who answered don't know included.

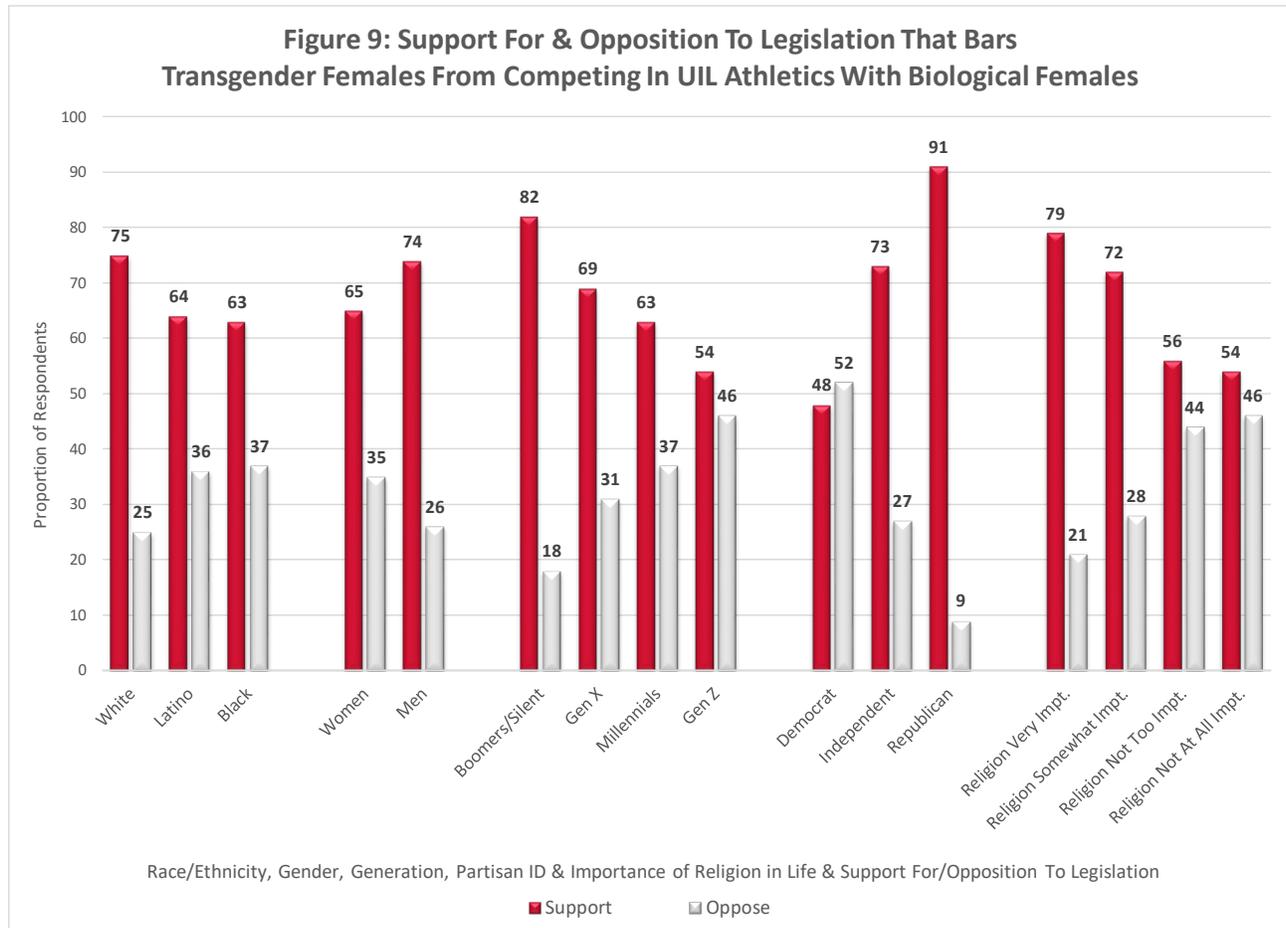
Including those respondents who answered don't know, 46% of Texans strongly support the legislation, along with 12% who somewhat support it, for a total proportion of support of almost three-fifths (58%). In contrast, only 14% of Texans strongly oppose the legislation while 11% somewhat oppose it, for a total proportion of opposition of one-quarter (25%).

Excluding those respondents who answered don't know, more than one-half of Texans (55%) strongly support this legislation, along with 15% who somewhat support it, for a total proportion of support of more than two-thirds (70%). In contrast, only 17% of Texans strongly oppose the legislation while 13% somewhat oppose it.

Table 4: Support for & Opposition to Legislation Prohibiting Transgender Females from Female Athletic Teams

Level of Support	All Responses (%)	All Valid Responses (%)
Strongly Support	46	55
Somewhat Support	12	15
Somewhat Oppose	11	13
Strongly Oppose	14	17
Don't Know	17	

Figure 9 collapses the support (strongly and somewhat) and oppose (strongly and somewhat) categories into two categories for legislation requiring male Texas public high school and middle school students to compete only in sports associated with their biological sex. It then provides the level of support for and opposition to the legislation among sub-groups based on race/ethnicity, gender, generation, partisan ID, and importance of religion in their life.



Three-fourths (75%) of whites, 64% of Latinos and 63% of Blacks support HB 25. While majorities of all three groups support the legislation, whites are significantly more likely to support it than either Latinos or Blacks.

Solid majorities of both men (74%) and women (65%) support this legislation, with men though significantly more likely to support it than women.

While majorities of all generational groups support the legislation, there is a wide range of variance in support ranging from a high of 82% for Baby Boomers/Silent Generation to a low of 54% for Gen Z, with Gen X (69%) and Millennials (63%) in between.

More than nine out of every ten (91%) Republicans support the legislation compared to 73% of Independents and slightly less than one-half (48%) of Democrats.

Finally, there is a strong positive relationship between the importance of religion in someone's life and their support for HB 25. Approximately three-fourths (79% and 72%, respectively) of those Texans for whom religion is very important or somewhat important in their life support this legislation. In contrast, among those Texans for whom religion is either not too important or not at all important, 56% and 54%, respectively, support the legislation.

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