

An Act

ENROLLED SENATE
BILL NO. 612

By: Dahm, Jett, Bullard,
Stephens, Rogers, Taylor,
and Bergstrom of the Senate

and

Olsen, Crosswhite Hader,
West (Kevin), McDugle,
Hardin (David), Grego, West
(Rick), Humphrey, Stearman,
Boles, Kendrix, Lawson,
Sneed, Roberts (Sean), and
Frix of the House

An Act relating to abortion; defining terms;
prohibiting performance of or attempt to perform
abortion except under certain condition; providing
penalties; providing certain construction; providing
affirmative defense; and providing for codification.

SUBJECT: Abortion

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 1-731.4 of Title 63, unless
there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. The terms "abortion" and "unborn child" shall have the same
meaning as provided by Section 1-730 of Title 63 of the Oklahoma
Statutes; and

2. "Medical emergency" means a condition which cannot be remedied by delivery of the child in which an abortion is necessary to preserve the life of a pregnant woman whose life is endangered by a physical disorder, physical illness or physical injury including a life-endangering physical condition caused by or arising from the pregnancy itself.

B. 1. Notwithstanding any other provision of law, a person shall not purposely perform or attempt to perform an abortion except to save the life of a pregnant woman in a medical emergency.

2. A person convicted of performing or attempting to perform an abortion shall be guilty of a felony punishable by a fine not to exceed One Hundred Thousand Dollars (\$100,000.00), or by confinement in the custody of the Department of Corrections for a term not to exceed ten (10) years, or by such fine and imprisonment.

3. This section does not:

- a. authorize the charging or conviction of a woman with any criminal offense in the death of her own unborn child, or
- b. prohibit the sale, use, prescription or administration of a contraceptive measure, drug or chemical if the contraceptive measure, drug or chemical is administered before the time when a pregnancy could be determined through conventional medical testing and if the contraceptive measure, drug or chemical is sold, used, prescribed or administered in accordance with manufacturer instructions.

4. It is an affirmative defense to prosecution under this section if a licensed physician provides medical treatment to a pregnant woman which results in the accidental or unintentional injury or death to the unborn child.

Passed the Senate the 10th day of March, 2021.

Presiding Officer of the Senate

Passed the House of Representatives the 5th day of April, 2022.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____