

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 HOUSE BILL 3013

By: Crosswhite Hader and Olsen

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6 AS INTRODUCED

7 An Act relating to abortion-inducing drugs; defining
8 terms; prohibiting trafficking of certain drugs;
9 providing for felony; providing exceptions; providing
10 for codification; and providing an effective date.

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

13 SECTION 1. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 1-756.30 of Title 63, unless
15 there is created a duplication in numbering, reads as follows:

16 A. As used in this act:

17 1. "Abortion" means the use or prescription of any instrument,
18 medicine, drug, or any other substance or device intentionally to
19 terminate the pregnancy of a female known to be pregnant with an
20 intention other than to increase the probability of a live birth, to
21 preserve the life or health of the child after live birth, to remove
22 an ectopic pregnancy, or to remove a dead unborn child who died as
23 the result of a spontaneous miscarriage, accidental trauma, or a
24 criminal assault on the pregnant female or her unborn child;

1 2. "Abortion-inducing drug" means a medicine, drug, or any
2 other substance prescribed or dispensed with the intent of inducing
3 an abortion. This includes off-label use of drugs known to
4 have abortion-inducing properties, which are prescribed specifically
5 with the intent of causing an abortion, such as misoprostol
6 (Cytotec) and methotrexate. This definition does not apply to drugs
7 that may be known to cause an abortion but which are prescribed for
8 other medical indications, such as chemotherapeutic agents or
9 diagnostic drugs, or for treatment of an ectopic pregnancy;

10 3. "Trafficking" means the act of buying or selling goods
11 illegally; and

12 4. "Unborn child" means the unborn offspring of human beings
13 from the moment of conception, through pregnancy, and until live
14 birth, including the human conceptus, zygote, morula, blastocyst,
15 embryo, and fetus.

16 B. A person who knows or has reason to know that another person
17 intends to use an abortion-inducing drug to cause an unlawful
18 abortion and who knowingly or intentionally:

19 1. Delivers an abortion-inducing drug to that person;

20 2. Possesses an abortion-inducing drug with the intent to
21 deliver the abortion-inducing drug to that person; or

22 3. Offers or advertises an abortion-inducing drug for sale or
23 delivery to that person,

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1 commits trafficking in an abortion-inducing drug and is guilty of a
2 felony upon conviction.

3 C. A person convicted of trafficking or attempting to traffic
4 abortion-inducing drugs shall be guilty of a felony punishable by a
5 fine not to exceed One Hundred Thousand Dollars (\$100,000.00), or by
6 confinement in the custody of the Department of Corrections for a
7 term not to exceed ten (10) years, or by both such fine and
8 imprisonment.

9 D. This act does not apply to a pharmacist or a manufacturer or
10 distributor of drugs or surgical supplies who lawfully manufactures,
11 possesses, offers, sells, or distributes, in the usual course of
12 that entity's business or profession, any drug, medicine, or
13 instrument intended for any lawful medical purpose.

14 SECTION 2. This act shall become effective November 1, 2024.

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