

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE  
4 FOR

5 HOUSE BILL NO. 3013

6 By: Crosswhite Hader and Olsen

7 COMMITTEE SUBSTITUTE

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

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

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

17 A. As used in this act:

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

1 the result of a spontaneous miscarriage, accidental trauma, or a  
2 criminal assault on the pregnant female or her unborn child;

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

13 3. "Trafficking" means the act of buying, selling, or  
14 delivering medicine, drugs, or any substance illegally; and

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

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

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

23 2. Possesses an abortion-inducing drug with the intent to  
24 deliver the abortion-inducing drug to that person,

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

15

16       59-2-10185       GRS       02/14/24

17

18

19

20

21

22

23

24