

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1886

By: Bullard

AS INTRODUCED

An Act relating to abortion; amending Section 1, Chapter 321, O.S.L. 2022 (63 O.S. Supp. 2023, Section 1-745.51), which relates to definitions; deleting definition; amending Section 2, Chapter 321, O.S.L. 2022 (63 O.S. Supp. 2023, Section 1-745.52), which relates to prohibition of abortion; modifying and removing exceptions; limiting certain exception; updating statutory reference; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 1, Chapter 321, O.S.L. 2022 (63 O.S. Supp. 2023, Section 1-745.51), is amended to read as follows:

Section 1-745.51. As used in ~~this act~~ Section 1-745.51 et seq. of this title:

1. "Abortion" means the act of using, prescribing, administering, procuring, or selling of any instrument, medicine, drug, or any other substance, device, or means with the purpose to terminate the pregnancy of a woman, with knowledge that the termination by any of those means will with reasonable likelihood cause the death of an unborn child. It does not include the use, prescription, administration, procuring, or selling of Plan B,

1 morning-after pills, or any other type of contraception or emergency  
2 contraception. An act is not an abortion if the act is performed  
3 with the purpose to:

- 4 a. save the life or preserve the health of the unborn  
5 child,
- 6 b. remove a dead unborn child caused by spontaneous  
7 abortion, or
- 8 c. remove an ectopic pregnancy;

9 2. "Fertilization" means the fusion of a human spermatozoon  
10 with a human ovum;

11 ~~3. "Medical emergency" means a condition in which an abortion~~  
12 ~~is necessary to preserve the life of a pregnant woman whose life is~~  
13 ~~endangered by a physical disorder, physical illness, or physical~~  
14 ~~injury, including a life-endangering physical condition caused by or~~  
15 ~~arising from the pregnancy itself;~~

16 ~~4.~~ "Unborn child" means a human fetus or embryo in any stage of  
17 gestation from fertilization until birth; and

18 ~~5.~~ 4. "Woman" and "women" include any person whose biological  
19 sex is female, including any person with XX chromosomes and any  
20 person with a uterus, regardless of any gender identity that the  
21 person attempts to assert or claim.

22 SECTION 2. AMENDATORY Section 2, Chapter 321, O.S.L.  
23 2022 (63 O.S. Supp. 2023, Section 1-745.52), is amended to read as  
24 follows:

1 Section 1-745.52. A. Except as provided by ~~Section 3 of this~~  
2 ~~act~~ Section 1-745.53 of this title, a person shall not knowingly  
3 perform or attempt to perform an abortion unless:

4 ~~1. The~~ the abortion is necessary to ~~save~~ preserve the life of a  
5 pregnant woman ~~in a medical emergency; or~~

6 ~~2. The pregnancy is the result of rape, sexual assault, or~~  
7 ~~incest that has been reported to law enforcement~~ as a last resort  
8 after all other medical options have reasonably been considered.

9 B. Only a surgical abortion may be performed or attempted under  
10 the exception provided by subsection A of this section. A  
11 medication abortion shall not be performed or attempted under such  
12 exception.

13 C. For the purposes of this section, an abortion shall not be  
14 deemed necessary to preserve the life of the pregnant woman if it is  
15 based on a psychological or emotional condition or a claim,  
16 diagnosis, or determination that the woman may engage in conduct  
17 which she intends to result in her death.

18 SECTION 3. It being immediately necessary for the preservation  
19 of the public peace, health or safety, an emergency is hereby  
20 declared to exist, by reason whereof this act shall take effect and  
21 be in full force from and after its passage and approval.

22  
23 59-2-2324

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