

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 SENATE BILL 787

By: Standridge

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5  
6 AS INTRODUCED

7 An Act relating to health care; prohibiting physician  
8 or other healthcare professional from providing  
9 certain service to minor; authorizing certain civil  
10 action; specifying who may bring an action; allowing  
11 unlimited time period for commencement of an action  
12 subject to certain conditions; creating certain  
13 rebuttable presumption; providing for dismissal of  
14 cause of action under certain condition; authorizing  
15 award of certain damages or relief; providing for  
16 recovery of court costs and reasonable attorney fees;  
17 providing for codification; and providing an  
18 effective date.

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

20 SECTION 1. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 2607.2 of Title 63, unless there  
22 is created a duplication in numbering, reads as follows:

23 A. A physician or other healthcare professional shall not  
24 provide gender transition surgery to any individual under eighteen  
25 (18) years of age.

26 B. A person may bring an action against a physician or other  
27 healthcare professional who provided gender transition surgery to  
28 the person if the gender transition surgery caused the person to not

1 be able to enjoy the natural reproductivity functions of child  
2 bearing and rearing that the person would have enjoyed if not for  
3 the gender transition surgery.

4 C. If the person is under eighteen (18) years of age, he or she  
5 may bring an action throughout their minority through a parent or  
6 legal guardian, and may bring an action in their own name upon  
7 reaching majority.

8 D. 1. Notwithstanding any other provision of law, there shall  
9 be no time limitation for the commencement of an action brought  
10 under this section except as provided by this subsection.

11 2. There shall be a rebuttable presumption that the plaintiff,  
12 based solely on his or her age, would be capable of bearing children  
13 if not for the gender transition surgery.

14 3. If the presumption described in paragraph 2 of this  
15 subsection is successfully rebutted, the court shall dismiss the  
16 cause of action.

17 E. A plaintiff who establishes a violation of subsection A of  
18 this section and who can show that he or she has suffered harm as  
19 described in subsection B of this section may be granted:

20 1. Compensatory damages appropriate to the loss of natural  
21 reproductivity functions as described in subsection B of this  
22 section;

23 2. Punitive damages; or

24 3. Any other appropriate relief.

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F. A plaintiff who establishes a violation of subsection A of this act and who can show that he or she has suffered harm as described in subsection B of this section shall recover court costs and reasonable attorney fees.

SECTION 2. This act shall become effective November 1, 2023.

59-1-127            DC            1/18/2023 7:24:14 PM