Mr./Madame President:

I move to amend Senate Bill No. 195, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

_______________________
Senator Treat

Treat-CD-FS-Req#2105
3/13/2019 6:52 PM
STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

FLOOR SUBSTITUTE
FOR
SENATE BILL NO. 195

By: Treat, Bullard, David, Thompson, Scott and Pederson

FLOOR SUBSTITUTE

An Act directing the Secretary of State to refer to the people for their approval or rejection of a proposed amendment to the Oklahoma Constitution by adding a new Section 7A to Article II; providing that no provision of the Constitution secures or protects a right to perform or receive an abortion; prohibiting certain construction of Constitution; defining term; providing ballot title; and directing filing.

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

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to the Oklahoma Constitution by adding a new Section 7A to Article II to read as follows:

Section 7A. A. Nothing in this Constitution secures or protects the right to perform or receive an abortion, nor shall any provision of this Constitution be construed to preclude, invalidate or in any way limit, a statute that prohibits abortion, regulates
abortion or regulates abortion differently from other acts or procedures.

B. As used in this section, "abortion" means the use or prescription of any instrument, medicine, drug or other substance or device intentionally to terminate a pregnancy other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, to remove an ectopic pregnancy or to remove an unborn child who died as the result of a spontaneous miscarriage, accidental trauma or a criminal assault on the pregnant female or her unborn child.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. ____  State Question No. ____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure adds a new Section 7A to Article 2 of the Oklahoma Constitution. The proposed Section 7A states that nothing in the Oklahoma Constitution secures or protects the right to perform or receive an abortion. The proposed Section 7A also states that nothing in the Oklahoma Constitution may be read to prevent statutes from being enacted that prohibit abortion, regulate abortion or regulate abortion differently from other acts or procedures. "Abortion" is defined for the purposes of
this proposed Section 7A as the use or prescription of any instrument, drug or device intentionally to terminate a pregnancy. The measure exempts from this definition terminating a pregnancy for certain reasons, such as to preserve the life or health of an unborn child, to remove an ectopic pregnancy or to remove an unborn child who died as the result of a spontaneous miscarriage, accidental trauma or a criminal assault on a pregnant woman or her unborn child. This measure concerns only the rights guaranteed by the Oklahoma Constitution. It would not alter any rights guaranteed by the United States Constitution.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES

AGAINST THE PROPOSAL — NO

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the passage of this act, prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.