STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

HOUSE BILL 4116

By: Roberts (Sean)

AS INTRODUCED

An Act relating to public health; amending Section 2, Chapter 170, O.S.L. 2012 (63 O.S. Supp. 2019, Section 1-729.2), which relates to abortions; providing for penalties; providing for assessment of fine; removing exception; amending 63 O.S. 2011, Section 1-731, which relates to persons who may perform abortions; removing exceptions; prohibiting performance of an abortion; providing for penalties; amending 63 O.S. 2011, Section 1-733, which relates to self-induced abortions; removing exception; providing for penalties; repealing Sections 1, 4 and 5, Chapter 170, O.S.L. 2012, 63 O.S. 2011, Sections 1-731.2, 1-732, 1-737.4, as amended by Section 1, Chapter 123, O.S.L. 2017, 1-737.5 and 1-737.6 (63 O.S. Supp. 2019, Sections 1-729.1, 1-729.4, 1-729.5 and 1-737.4), which relate to performance of an abortion; and providing an effective date.

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

SECTION 1. AMENDATORY Section 2, Chapter 170, O.S.L. 2012 (63 O.S. Supp. 2019, Section 1-729.2), is amended to read as follows:

Section 1-729.2 Any person who knowingly or recklessly violates this act shall be guilty of a felony punishable by imprisonment for
not less than forty (40) years nor more than fifty (50) years in the
State Penitentiary and assessed a fine of not less than Two Hundred
Fifty Thousand Dollars ($250,000.00) nor more than Five Hundred
Thousand Dollars ($500,000.00). Any term of imprisonment pursuant
to this section shall be served consecutively. No penalty may be
assessed against the female upon whom the abortion is performed or
induced or attempted to be performed or induced.

SECTION 2. AMENDATORY 63 O.S. 2011, Section 1-731, is
amended to read as follows:

Section 1-731. A. No person shall perform or induce an
abortion upon a pregnant woman unless that person is a physician
licensed to practice medicine in the State of Oklahoma. Any person
violating this section shall be guilty of a felony punishable by
imprisonment for not less than one (1) year forty (40) years nor
more than three (3) fifty (50) years in the State Penitentiary and
assessed a fine of not less than Two Hundred Fifty Thousand Dollars
($250,000.00) nor more than Five Hundred Thousand Dollars
($500,000.00). Any term of imprisonment pursuant to this section
shall be served consecutively.

B. No person shall perform or induce an abortion upon a
pregnant woman subsequent to the end of the first trimester of her
pregnancy, unless such abortion is performed or induced in a general
hospital.
SECTION 3. AMENDATORY 63 O.S. 2011, Section 1-733, is amended to read as follows:

Section 1-733. No woman shall perform or induce an abortion upon herself, except under the supervision of a duly licensed physician. Any physician who supervises a woman in performing or inducing an abortion upon herself shall fulfill all the requirements of this article which apply to a physician performing or inducing an abortion be guilty of a felony punishable by imprisonment for not less than forty (40) years nor more than fifty (50) years in the State Penitentiary and assessed a fine of not less than Two Hundred Fifty Thousand Dollars ($250,000.00) nor more than Five Hundred Thousand Dollars ($500,000.00). Any term of imprisonment pursuant to this section shall be served consecutively.

SECTION 4. REPEALER Sections 1, 4 and 5, Chapter 170, O.S.L. 2012, 63 O.S. 2011, Sections 1-731.2, 1-732, 1-737.4, as amended by Section 1, Chapter 123, O.S.L. 2017, 1-737.5 and 1-737.6 (63 O.S. Supp. 2019, Sections 1-729.1, 1-729.4, 1-729.5 and 1-737.4) are hereby repealed.

SECTION 5. This act shall become effective November 1, 2020.