STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

COMMITTEE SUBSTITUTE

FOR

SENATE BILL 129

By: Bullard, Hamilton, Woods, and Burns

COMMITTEE SUBSTITUTE

An Act relating to health care; defining terms; prohibiting certain uses of public funds, public facilities, and public employees; providing for codification; providing an effective date; and declaring an emergency.

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

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

A. As used in this section:

1. a. “Gender transition procedures” means any medical or surgical treatment including but not limited to physician’s services, inpatient and outpatient hospital services, or prescribed drugs related to gender transition that seeks to:
(1) alter or remove physical or anatomical characteristics or features that are typical for the individual’s biological sex, or

(2) instill or create physiological or anatomical characteristics that resemble a sex different from the individual’s biological sex, including but not limited to medical services that provide puberty-blocking drugs, cross-sex hormones, or other mechanisms to promote the development of feminizing or masculinizing features in the opposite biological sex, or genital or nongenital gender reassignment surgery performed for the purpose of assisting an individual with a gender transition.

b. Gender transition procedures do not include:

(1) behavioral health care services or mental health counseling,

(2) medications to treat depression and anxiety,

(3) medications prescribed, dispensed, or administered specifically for the purpose of treating precocious puberty or delayed puberty in that patient,

(4) services provided to individuals born with ambiguous genitalia, incomplete genitalia, or
both male and female anatomy, or biochemically
verifiable disorder of sex development (DSD),
including but not limited to:
(a) 46,XX DSD,
(b) 46,XY DSD,
(c) sex chromosomes DSDs,
(d) XX or XY sex reversal, and
(e) ovotesticular disorder, or
(5) the treatment of any infection, injury, disease,
or disorder that has been caused by or
exacerbated by the performance of gender
transition procedures, whether or not the gender
transition procedure was performed in accordance
with state and federal law;

2. “Health care provider” means a physician, physician
assistant, Advanced Practice Registered Nurse, or any other person
who is licensed, certified, or otherwise authorized by the laws of
this state to administer health care in the ordinary course of the
practice of his or her profession; and

3. “Public funds” means state funds from any source including
but not limited to appropriations, apportionments, or revenue
generated by state agencies through fines, fees, or any other means.

B. Public funds shall not be directly or indirectly used,
care provider, or individual that provides or refers for gender transition procedures.

C. Gender transition procedures shall not be provided or referred for in the following situations:

1. By or in a health care facility owned by the state or a county or local government; or

2. By a health care provider employed by the state or a county or local government.

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

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

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