STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 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, granted, paid, or distributed to any entity, organization, health
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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