STATE OF OKLAHOMA
1st Session of the 59th Legislature (2023)

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 834

By: Daniels

COMMITTEE SUBSTITUTE

An Act relating to abortion; amending 21 O.S. 2021, Section 861, which relates to crimes and punishments; adding and modifying circumstances under which certain acts are not criminal offenses; listing additional acts that are not criminal offenses; requiring certain reporting of abortion; defining terms; amending 59 O.S. 2021, Sections 509 and 637, which relate to unprofessional conduct by physicians; modifying and adding certain exceptions; requiring certain reporting of abortion; defining terms; amending 63 O.S. 2021, Section 1-731.3, which relates to abortion; modifying and adding certain exceptions; requiring certain reporting of abortion; defining terms; amending Section 1, Chapter 11, O.S.L. 2022 (63 O.S. Supp. 2022, Section 1-731.4), which relates to abortion; adding and modifying definitions; clarifying applicability of certain provision; adding and modifying exceptions to certain prohibition; removing duplicative language; requiring certain reporting of abortion; amending 63 O.S. 2021, Section 1-732, which relates to abortion; modifying and adding certain exceptions; removing duplicative language; modifying applicability of certain provisions; making language gender neutral; requiring certain reporting of abortion; defining terms; amending 63 O.S. 2021, Section 1-745.2, which relates to definitions used in the Pain-Capable Unborn Child Protection Act; modifying definitions; amending 63 O.S. 2021, Section 1-745.4, which relates to abortion requirements; modifying applicability of certain provision; modifying and adding certain exceptions; requiring certain reporting of abortion; amending 63 O.S. 2021, Section 1-745.5, which relates to
abortion; modifying applicability of certain provision; amending Section 2, Chapter 190, O.S.L. 2022 (63 O.S. Supp. 2022, Section 1-745.32), which relates to definitions used in the Oklahoma Heartbeat Act; updating statutory reference; defining terms; amending Section 3, Chapter 190, O.S.L. 2022 (63 O.S. Supp. 2022, Section 1-745.33), which relates to determining presence of fetal heartbeat; clarifying applicability of certain provision; adding and updating statutory references; amending Section 4, Chapter 190, O.S.L. 2022 (63 O.S. Supp. 2022, Section 1-745.34), which relates to abortion prohibition if heartbeat detected; clarifying applicability of certain provision; adding and updating statutory references; amending Section 5, Chapter 190, O.S.L. 2022 (63 O.S. Supp. 2022, Section 1-745.35), which relates to medical emergency; modifying exception; updating statutory references; adding certain exception; requiring certain reporting of abortion; amending Section 1, Chapter 321, O.S.L. 2022 (63 O.S. Supp. 2022, Section 1-745.51), which relates to definitions; adding and modifying definitions; amending Section 2, Chapter 321, O.S.L. 2022 (63 O.S. Supp. 2022, Section 1-745.52), which relates to abortion prohibition; clarifying applicability of certain provision; modifying exceptions; updating statutory references; requiring certain reporting of abortion; requiring abortion performed under certain exceptions to be reported to State Department of Health on certain form; restricting type of information requested; requiring abortion provider to state proper exception and include other required information; requiring Department to compile reported information into annual statistical report; directing certain publication and submission of report; requiring promulgation of certain rules; repealing 63 O.S. 2021, Sections 1-733 and 1-745.6, which relate to abortion; updating statutory language; providing for codification; and declaring an emergency.

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 861, is amended to read as follows:

Req. No. 1706
Section 861.  

A.  Every person who administers to any woman, or who prescribes for any woman, or advises or procures any woman to take any medicine, drug or substance, or uses or employs any instrument, or other means whatever, with intent thereby to procure the miscarriage of such woman an abortion, unless the same:

1. The abortion is necessary to preserve her life due to a medical emergency as defined in subsection D of this section; or

2. The pregnancy is the result of:
   a. rape or sexual assault that has been reported to law enforcement, or
   b. incest of a minor that has been reported to law enforcement,

shall be guilty of a felony punishable by imprisonment in the State Penitentiary for not less than two (2) years nor more than five (5) years.

B. 1. The use, prescription, administration, procuring, or selling of any type of contraception shall not be a violation of subsection A of this section if the contraception is administered before the time when a pregnancy could be determined through conventional medical testing.

2. An act related to in vitro fertilization or otherwise related to the diagnosis or treatment of infertility or the preservation of fertility by a licensed healthcare provider acting
lawfully and within the scope of his or her practice shall not be a violation of subsection A of this section.

3. An act is not a violation of subsection A of this section if performed with the purpose to:

a. save the life or preserve the health of the unborn child,

b. remove a dead unborn child whose death was caused by miscarriage or spontaneous abortion, or

c. remove an ectopic pregnancy.

C. Any abortion performed or induced under an exception provided by subsection A of this section or performed or induced to remove an ectopic pregnancy shall be reported by the abortion provider to the State Department of Health in accordance with Section 18 of this act.

D. As used in this section:

1. “Medical emergency” means a condition that, in reasonable medical judgment:

a. cannot be remedied by delivery of the child, and

b. so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert her death or for which a delay will create serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. A
condition is not a medical emergency if it is based on
a claim, diagnosis, or determination that the woman
may engage in conduct which she intends to result in
her death or in the substantial and irreversible
physical impairment of a major bodily function; and

2. “Reasonable medical judgment” means a medical judgment that
would be made by a reasonably prudent physician who is knowledgeable
about the case and the treatment possibilities with respect to the
medical conditions involved.

SECTION 2. AMENDATORY 59 O.S. 2021, Section 509, is
amended to read as follows:

Section 509. The words “unprofessional conduct” as used in
Sections 481 through 518.1 of this title are hereby declared to
include, but shall not be limited to, the following:

1. Procuring, aiding or abetting a criminal operation;

2. The obtaining of any fee or offering to accept any fee,
present or other form of remuneration whatsoever, on the assurance
or promise that a manifestly incurable disease can or will be cured;

3. Willfully betraying a professional secret to the detriment
of the patient;

4. Habitual intemperance or the habitual use of habit-forming
drugs;
5. Conviction or confession of, or plea of guilty, nolo contendere, no contest or Alford plea to a felony or any offense involving moral turpitude;

6. All advertising of medical business in which statements are made which are grossly untrue or improbable and calculated to mislead the public;

7. Conviction or confession of, or plea of guilty, nolo contendere, no contest or Alford plea to a crime involving violation of:
   a. the antinarcotic or prohibition laws and regulations of the federal government,
   b. the laws of this state,
   c. State Commissioner of Health rules, or
   d. a determination by a judge or jury;

8. Dishonorable or immoral conduct which is likely to deceive, defraud, or harm the public;

9. The commission of any act which is a violation of the criminal laws of any state when such act is connected with the physician’s practice of medicine. A complaint, indictment or confession of a criminal violation shall not be necessary for the enforcement of this provision. Proof of the commission of the act while in the practice of medicine or under the guise of the practice of medicine shall be unprofessional conduct;
10. Failure to keep complete and accurate records of purchase
   and disposal of controlled drugs or of narcotic drugs;

11. The writing of false or fictitious prescriptions for any
drugs or narcotics declared by the laws of this state to be
controlled or narcotic drugs;

12. Prescribing or administering a drug or treatment without
sufficient examination and the establishment of a valid physician-
patient relationship and not prescribing in a safe, medically
accepted manner;

13. The violation, or attempted violation, direct or indirect,
of any of the provisions of the Oklahoma Allopathic Medical and
Surgical Licensure and Supervision Act, either as a principal,
accessory or accomplice;

14. Aiding or abetting, directly or indirectly, the practice of
medicine by any person not duly authorized under the laws of this
state;

15. The inability to practice medicine with reasonable skill
and safety to patients by reason of age, illness, drunkenness,
excessive use of drugs, narcotics, chemicals, or any other type of
material or as a result of any mental or physical condition. In
enforcing this section the State Board of Medical Licensure and
Supervision may, upon probable cause, request a physician to submit
to a mental or physical examination by physicians designated by it.
If the physician refuses to submit to the examination, the Board
shall issue an order requiring the physician to show cause why the physician will not submit to the examination and shall schedule a hearing on the order within thirty (30) days after notice is served on the physician, exclusive of the day of service. The physician shall be notified by either personal service or by certified mail with return receipt requested. At the hearing, the physician and the physician’s attorney are entitled to present any testimony and other evidence to show why the physician should not be required to submit to the examination. After a complete hearing, the Board shall issue an order either requiring the physician to submit to the examination or withdrawing the request for examination. The medical license of a physician ordered to submit for examination may be suspended until the results of the examination are received and reviewed by the Board;

16. a. Prescribing, dispensing or administering of controlled substances or narcotic drugs in excess of the amount considered good medical practice,

b. Prescribing, dispensing or administering controlled substances or narcotic drugs without medical need in accordance with pertinent licensing board standards, or

c. Prescribing, dispensing or administering opioid drugs in excess of the maximum limits authorized in Section 2-309I of Title 63 of the Oklahoma Statutes;
17. Engaging in physical conduct with a patient which is sexual in nature, or in any verbal behavior which is seductive or sexually demeaning to a patient;

18. Failure to maintain an office record for each patient which accurately reflects the evaluation, treatment, and medical necessity of treatment of the patient;

19. Failure to provide necessary ongoing medical treatment when a doctor-patient relationship has been established, which relationship can be severed by either party providing a reasonable period of time is granted;

20. a. Performance of an abortion as defined by Section 1-730 of Title 63 of the Oklahoma Statutes, except for an abortion necessary to prevent the death of the mother or to prevent substantial or irreversible physical impairment of the mother that substantially increases the risk of death. The performance of an abortion on the basis of the mental or emotional health of the mother shall be a violation of this paragraph, notwithstanding a claim or diagnosis that the woman may engage in conduct which she intends to result in her death, unless:

(1) the abortion is necessary due to a medical emergency as defined in subparagraph d of this paragraph, or
(2) the pregnancy is the result of:

   (a) rape or sexual assault that has been reported to law enforcement, or
   (b) incest of a minor that has been reported to law enforcement.

b. The Board shall impose a penalty as provided in Section 509.1 of this title on a licensee who violates this paragraph. The penalty shall include, but not be limited to, suspension of the license for a period of not less than one (1) year.

c. Any abortion performed or induced under an exception provided by subparagraph a of this paragraph or performed or induced to remove an ectopic pregnancy shall be reported by the physician to the State Department of Health in accordance with Section 18 of this act.

d. As used in this paragraph:

   (1) “abortion” means the act of using, prescribing, administering, procuring, or selling of any instrument, medicine, drug, or any other substance, device, or means with the purpose to terminate the pregnancy of a woman, with knowledge that the termination by any of those means will with reasonable likelihood cause the
death of an unborn child. It does not include
the use, prescription, administration, procuring,
or selling of any type of contraception if the
contraception is administered before the time
when a pregnancy could be determined through
conventional medical testing. It does not
include any act related to in vitro fertilization
or otherwise related to the diagnosis or
treatment of infertility or the preservation of
fertility by a licensed healthcare provider
acting lawfully and within the scope of his or
her practice. An act is not an abortion if the
act is performed with the purpose to:

(a) save the life or preserve the health of the
    unborn child,

(b) remove a dead unborn child whose death was
    caused by miscarriage or spontaneous
    abortion, or

(c) remove an ectopic pregnancy,

(2) “medical emergency” means a condition that, in
    reasonable medical judgment:

(a) cannot be remedied by delivery of the child,
(b) so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert her death or for which a delay will create serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. A condition is not a medical emergency if it is based on a claim, diagnosis, or determination that the woman may engage in conduct which she intends to result in her death or in the substantial and irreversible physical impairment of a major bodily function, and

(3) "reasonable medical judgment" means a medical judgment that would be made by a reasonably prudent physician who is knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved; or

21. Failure to provide a proper and safe medical facility setting and qualified assistive personnel for a recognized medical act, including but not limited to an initial in-person patient examination, office surgery, diagnostic service or any other medical procedure or treatment. Adequate medical records to support
diagnosis, procedure, treatment or prescribed medications must be produced and maintained.

SECTION 3. AMENDATORY 59 O.S. 2021, Section 637, is amended to read as follows:

Section 637. A. The State Board of Osteopathic Examiners may refuse to admit a person to an examination or may refuse to issue or reinstate or may suspend or revoke any license issued or reinstated by the Board upon proof that the applicant or holder of such a license:

1. Has obtained a license, license renewal or authorization to sit for an examination, as the case may be, through fraud, deception, misrepresentation or bribery; or has been granted a license, license renewal or authorization to sit for an examination based upon a material mistake of fact;

2. Has engaged in the use or employment of dishonesty, fraud, misrepresentation, false promise, false pretense, unethical conduct or unprofessional conduct, as may be determined by the Board, in the performance of the functions or duties of an osteopathic physician, including but not limited to the following:

   a. Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation; willfully and continually overcharging or overtreating patients; or charging for
visits to the physician’s office which did not occur or for services which were not rendered,

b. using intimidation, coercion or deception to obtain or retain a patient or discourage the use of a second opinion or consultation,

c. willfully performing inappropriate or unnecessary treatment, diagnostic tests or osteopathic medical or surgical services,

d. delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience or licensure to perform them, noting that delegation may only occur within an appropriate doctor-patient relationship, wherein a proper patient record is maintained including, but not limited to, at the minimum, a current history and physical,

e. misrepresenting that any disease, ailment, or infirmity can be cured by a method, procedure, treatment, medicine or device,

f. acting in a manner which results in final disciplinary action by any professional society or association or hospital or medical staff of such hospital in this or any other state, whether agreed to voluntarily or not, if the action was in any way related to professional conduct, professional competence, malpractice or any
other violation of the Oklahoma Osteopathic Medicine Act,
g. signing a blank prescription form; or dispensing, prescribing, administering or otherwise distributing any drug, controlled substance or other treatment without sufficient examination or the establishment of a physician-patient relationship, or for other than medically accepted therapeutic or experimental or investigational purpose duly authorized by a state or federal agency, or not in good faith to relieve pain and suffering, or not to treat an ailment, physical infirmity or disease, or violating any state or federal law on controlled dangerous substances including, but not limited to, prescribing, dispensing or administering opioid drugs in excess of the maximum limits authorized in Section 2-309I of Title 63 of the Oklahoma Statutes,
h. engaging in any sexual activity within a physician-patient relationship,
i. terminating the care of a patient without adequate notice or without making other arrangements for the continued care of the patient,
j. failing to furnish a copy of a patient’s medical records upon a proper request from the patient or
legal agent of the patient or another physician; or failing to comply with any other law relating to medical records,

k. failing to comply with any subpoena issued by the Board,

l. violating a probation agreement or order with this Board or any other agency, and

m. failing to keep complete and accurate records of purchase and disposal of controlled drugs or narcotic drugs;

3. Has engaged in gross negligence, gross malpractice or gross incompetence;

4. Has engaged in repeated acts of negligence, malpractice or incompetence;

5. Has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere in a criminal prosecution, for any offense reasonably related to the qualifications, functions or duties of an osteopathic physician, whether or not sentence is imposed, and regardless of the pendency of an appeal;

6. Has had the authority to engage in the activities regulated by the Board revoked, suspended, restricted, modified or limited, or has been reprimanded, warned or censured, probated or otherwise disciplined by any other state or federal agency whether or not voluntarily agreed to by the physician including, but not limited
to, the denial of licensure, surrender of the license, permit or
authority, allowing the license, permit or authority to expire or
lapse, or discontinuing or limiting the practice of osteopathic
medicine pending disposition of a complaint or completion of an
investigation;

7. Has violated or failed to comply with provisions of any act
or regulation administered by the Board;

8. Is incapable, for medical or psychiatric or any other good
cause, of discharging the functions of an osteopathic physician in a
manner consistent with the public’s health, safety and welfare;

9. Has been guilty of advertising by means of knowingly false
or deceptive statements;

10. Has been guilty of advertising, practicing, or attempting
to practice under a name other than one’s own;

11. Has violated or refused to comply with a lawful order of
the Board;

12. Has been guilty of habitual drunkenness, or habitual
addiction to the use of morphine, cocaine or other habit-forming
drugs;

13. Has been guilty of personal offensive behavior, which would
include, but not be limited to, obscenity, lewdness, and
molestation;

14. a. Has performed an abortion as defined by Section 1-730
of Title 63 of the Oklahoma Statutes, except for an
abortion necessary to prevent the death of the mother or to prevent substantial or irreversible physical impairment of the mother that substantially increases the risk of death. The performance of an abortion on the basis of the mental or emotional health of the mother shall be a violation of this paragraph, notwithstanding a claim or diagnosis that the woman may engage in conduct which she intends to result in her death, unless:

(1) the abortion is necessary due to a medical emergency as defined in subparagraph d of this paragraph, or

(2) the pregnancy is the result of:

   (a) rape or sexual assault that has been reported to law enforcement, or

   (b) incest of a minor that has been reported to law enforcement.

b. The Board shall impose a penalty as provided in this section and in Section 637.1 of this title on a licensee who violates this paragraph. The penalty shall include, but not be limited to, suspension of the license for a period of not less than one (1) year.
c. Any abortion performed or induced under an exception provided by subparagraph a of this paragraph or performed or induced to remove an ectopic pregnancy shall be reported by the physician to the State Department of Health in accordance with Section 18 of this act.

d. As used in this paragraph:

(1) “abortion” means the act of using, prescribing, administering, procuring, or selling of any instrument, medicine, drug, or any other substance, device, or means with the purpose to terminate the pregnancy of a woman, with knowledge that the termination by any of those means will with reasonable likelihood cause the death of an unborn child. It does not include the use, prescription, administration, procuring, or selling of any type of contraception if the contraception is administered before the time when a pregnancy could be determined through conventional medical testing. It does not include any act related to in vitro fertilization or otherwise related to the diagnosis or treatment of infertility or the preservation of fertility by a licensed healthcare provider.
acting lawfully and within the scope of his or her practice. An act is not an abortion if the act is performed with the purpose to:

(a) save the life or preserve the health of the unborn child,
(b) remove a dead unborn child whose death was caused by miscarriage or spontaneous abortion, or
(c) remove an ectopic pregnancy,

(2) “medical emergency” means a condition that, in reasonable medical judgment:

(a) cannot be remedied by delivery of the child, and

(b) so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert her death or for which a delay will create serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. A condition is not a medical emergency if it is based on a claim, diagnosis, or determination that the woman may engage in conduct which she intends to
result in her death or in the substantial
and irreversible physical impairment of a
major bodily function, and

(3) “reasonable medical judgment” means a medical
judgment that would be made by a reasonably
prudent physician who is knowledgeable about the
case and the treatment possibilities with respect
to the medical conditions involved; or

15. Has been adjudicated to be insane, or incompetent, or
admitted to an institution for the treatment of psychiatric
disorders.

B. The State Board of Osteopathic Examiners shall neither
refuse to renew, nor suspend, nor revoke any license, however, for
any of these causes, unless the person accused has been given at
least twenty (20) days’ notice in writing of the charge against him
or her and a public hearing by the Board; provided, three-fourths
(3/4) of a quorum present at a meeting may vote to suspend a license
in an emergency situation if the licensee affected is provided a
public hearing within thirty (30) days of the emergency suspension.

C. The State Board of Osteopathic Examiners shall have the
power to order or subpoena the attendance of witnesses, the
inspection of records and premises and the production of relevant
books and papers for the investigation of matters that may come
before them. The presiding officer of the Board shall have the
authority to compel the giving of testimony as is conferred on
courts of justice.

D. Any osteopathic physician in the State of Oklahoma whose license to practice osteopathic medicine is revoked or suspended under this section shall have the right to seek judicial review of a ruling of the Board pursuant to the Administrative Procedures Act.

E. The Board may enact rules and regulations pursuant to the Administrative Procedures Act setting out additional acts of unprofessional conduct, which acts shall be grounds for refusal to issue or reinstate, or for action to condition, suspend or revoke a license.

SECTION 4. AMENDATORY 63 O.S. 2021, Section 1-731.3, is amended to read as follows:

Section 1-731.3. A. No person shall perform or induce an abortion upon a pregnant woman without first detecting whether or not her unborn child has a heartbeat. No person shall perform or induce an abortion upon a pregnant woman after such time as her unborn child has been determined to have a detectable heartbeat except if, in reasonable medical judgment, she has a condition that so complicates her medical condition that it necessitates the abortion of her pregnancy to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional
conditions. No such condition may be determined to exist if it is
based on a claim or diagnosis that the woman will engage in conduct
which she intends to result in her death or in substantial and
irreversible physical impairment of a major bodily function.

B. A “detectable heartbeat” shall mean Subsection A of this
section shall not apply:

1. If the abortion is necessary due to a medical emergency as
defined in subsection D of this section; or

2. If the pregnancy is the result of:
   a. rape or sexual assault that has been reported to law
      enforcement, or
   b. incest of a minor that has been reported to law
      enforcement.

C. Any abortion performed or induced under an exception
provided by subsection B of this section, performed or induced to
remove an ectopic pregnancy, or performed or induced in compliance
with subsection A of this section shall be reported by the abortion
provider to the State Department of Health in accordance with
Section 18 of this act.

D. As used in this section:

1. “Abortion” means the act of using, prescribing,
   administering, procuring, or selling of any instrument, medicine,
   drug, or any other substance, device, or means with the purpose to
   terminate the pregnancy of a woman, with knowledge that the
termination by any of those means will with reasonable likelihood cause the death of an unborn child. It does not include the use, prescription, administration, procuring, or selling of any type of contraception if the contraception is administered before the time when a pregnancy could be determined through conventional medical testing. It does not include any act related to in vitro fertilization or otherwise related to the diagnosis or treatment of infertility or the preservation of fertility by a licensed healthcare provider acting lawfully and within the scope of his or her practice. An act is not an abortion if the act is performed with the purpose to:

1. save the life or preserve the health of the unborn child,
   a. remove a dead unborn child whose death was caused by miscarriage or spontaneous abortion, or
   b. remove an ectopic pregnancy;

2. “Detectable heartbeat” means embryonic or fetal cardiac activity or the steady or repetitive rhythmic contraction of the heart within the gestational sac;

3. “Medical emergency” means a condition that, in reasonable medical judgment:
   a. cannot be remedied by delivery of the child, and
   b. so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her
pregnancy to avert her death or for which a delay will create serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. A condition is not a medical emergency if it is based on a claim, diagnosis, or determination that the woman may engage in conduct which she intends to result in her death or in the substantial and irreversible physical impairment of a major bodily function; and

C.4. “Reasonable medical judgment” means a medical judgment that would be made by a reasonably prudent physician, who is knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

D. E. Any person violating subsection A of this section shall be guilty of homicide.

SECTION 5. AMENDATORY Section 1, Chapter 11, O.S.L. 2022 (63 O.S. Supp. 2022, Section 1-731.4), is amended to read as follows:

Section 1-731.4. A. As used in this section:

1. The terms “abortion” and “unborn child” shall have the same meaning as provided by Section 1-730 of Title 63 of the Oklahoma Statutes “Abortion” means the act of using, prescribing, administering, procuring, or selling of any instrument, medicine, drug, or any other substance, device, or means with the purpose to
terminate the pregnancy of a woman, with knowledge that the
termination by any of those means will with reasonable likelihood
cause the death of an unborn child. It does not include the use,
prescription, administration, procuring, or selling of any type of
contraception if the contraception is administered before the time
when a pregnancy could be determined through conventional medical
testing. It does not include any act related to in vitro
fertilization or otherwise related to the diagnosis or treatment of
infertility or the preservation of fertility by a licensed
healthcare provider acting lawfully and within the scope of his or
her practice. An act is not an abortion if the act is performed
with the purpose to:

a. save the life or preserve the health of the unborn
   child,

b. remove a dead unborn child whose death was caused by
   miscarriage or spontaneous abortion, or

c. remove an ectopic pregnancy; and

2. “Medical emergency” means a condition which that, in
reasonable medical judgment:

a. cannot be remedied by delivery of the child in which
   an abortion is necessary to preserve the life of a
   pregnant woman whose life is endangered by a physical
disorder, physical illness or physical injury
including a life-endangering physical condition caused by or arising from the pregnancy itself, and

b. so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert her death or for which a delay will create serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. A condition is not a medical emergency if it is based on a claim, diagnosis, or determination that the woman may engage in conduct which she intends to result in her death or in the substantial and irreversible physical impairment of a major bodily function;

3. “Reasonable medical judgment” means a medical judgment that would be made by a reasonably prudent physician who is knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved; and

4. “Unborn child” means a human fetus or embryo in any stage of gestation from fertilization until birth.

B. Notwithstanding any other provision of law, a person shall not purposely perform, induce, or attempt to perform or induce an abortion except to save the life of a pregnant woman in:

1. If the abortion is necessary due to a medical emergency as defined in subsection A of this section; or
2. If the pregnancy is the result of:
   a. rape or sexual assault that has been reported to law
      enforcement, or
   b. incest of a minor that has been reported to law
      enforcement.

2. C. 1. A person convicted of performing or attempting to
perform an abortion shall be guilty of a felony punishable by a fine
not to exceed One Hundred Thousand Dollars ($100,000.00), or by
confinement in the custody of the Department of Corrections for a
term not to exceed ten (10) years, or by such fine and imprisonment.

3. 2. This section does not:
   a. authorize the charging or conviction of a woman with
      any criminal offense in the death of her own unborn
      child,
   b. prohibit the sale, use, prescription or administration
      of a contraceptive measure, drug or chemical if the
      contraceptive measure, drug or chemical is
      administered before the time when a pregnancy could be
determined through conventional medical testing and if
      the contraceptive measure, drug or chemical is sold,
      used, prescribed or administered in accordance with
      manufacturer instructions.

4. 3. It is an affirmative defense to prosecution under this
section if a licensed physician provides medical treatment to a
pregnant woman which results in the accidental or unintentional
injury or death to the unborn child.

D. Any abortion performed or induced under an exception
provided by subsection B of this section or performed or induced to
remove an ectopic pregnancy shall be reported by the abortion
provider to the State Department of Health in accordance with
Section 18 of this act.

SECTION 6. AMENDATORY 63 O.S. 2021, Section 1-732, is
amended to read as follows:

Section 1-732. A. No person shall perform or induce an
abortion upon a pregnant woman after such time as her unborn child
has become viable unless such:

1. The abortion is necessary to prevent the death of the
pregnant woman or to prevent impairment to her health due to a
medical emergency as defined in subsection I of this section; or

2. The pregnancy is the result of:
   a. rape or sexual assault that has been reported to law
      enforcement, or
   b. incest of a minor that has been reported to law
      enforcement.

B. An unborn child shall be presumed to be viable if more than
twenty-four (24) weeks have elapsed since the probable beginning of
the last menstrual period of the pregnant woman, based upon either
information provided by her or by an examination by her attending
physician. If it is the judgment of the attending physician that a
particular unborn child is not viable where the presumption of
viability exists as to that particular unborn child, then he or she
shall certify in writing the precise medical criteria upon which he
has determined that the particular unborn child is not viable before
an abortion may be performed or induced.

C. No abortion of a viable unborn child shall be performed or
induced except after written certification by the attending
physician that in his best medical judgment the abortion is
necessary to prevent the death of the pregnant woman or to prevent
an impairment to her health. The physician shall further certify in
writing the medical indications for such abortion and the probable
health consequences if the abortion is not performed or induced.

D. The physician who shall perform or induce an abortion
upon a pregnant woman after such time as her unborn child has become
viable shall utilize the available method or technique of abortion
most likely to preserve the life and health of the unborn child,
unless he or she shall first certify in writing that in his or her
best medical judgment such method or technique shall present a
significantly greater danger to the life or health of the pregnant
woman than another available method or technique.

D. An abortion of a viable unborn child performed solely
under the exception provided by paragraph 2 of subsection A of this
section shall be performed or induced only when there is in
attendance a physician other than the physician performing or
inducing the abortion who shall take control of and provide
immediate medical care for the child.

E. During the performance or inducing of the abortion, the
physician performing it, and subsequent to it, the physician
required by this section to be in attendance, if applicable under
subsections D and F of this section, shall take all reasonable steps
in keeping with good medical practice, consistent with the procedure
used, to preserve the life and health of the child, in the same
manner as if the child had been born naturally or spontaneously.

F. The requirement of the attendance of a second physician may
be waived when in the best judgment of the attending physician a
shall not apply to an abortion performed due to a medical emergency
exists and further delay would result in a serious threat to the
life or physical health of the pregnant woman under the exception
provided by paragraph 1 of subsection A of this section. Provided
that, under such emergency circumstances and waiver, the attending
physician shall have the duty to take all reasonable steps to
preserve the life and health of the child before, during and after
the abortion procedure, unless such steps shall, in the best medical
judgment of the physician, present a significantly greater danger to
the life or health of the pregnant woman.

F. G. Any person violating subsection A of this section shall
be guilty of homicide.
H. Any abortion performed or induced under an exception provided by subsection A of this section, performed or induced to remove an ectopic pregnancy, or performed or induced before the unborn child has become viable shall be reported by the abortion provider to the State Department of Health in accordance with Section 18 of this act.

I. As used in this section:

1. “Abortion” means the act of using, prescribing, administering, procuring, or selling of any instrument, medicine, drug, or any other substance, device, or means with the purpose to terminate the pregnancy of a woman, with knowledge that the termination by any of those means will with reasonable likelihood cause the death of an unborn child. It does not include the use, prescription, administration, procuring, or selling of any type of contraception if the contraception is administered before the time when a pregnancy could be determined through conventional medical testing. It does not include any act related to in vitro fertilization or otherwise related to the diagnosis or treatment of infertility or the preservation of fertility by a licensed healthcare provider acting lawfully and within the scope of his or her practice. An act is not an abortion if the act is performed with the purpose to:

   a. save the life or preserve the health of the unborn child,
b. remove a dead unborn child whose death was caused by
miscarriage or spontaneous abortion, or

c. remove an ectopic pregnancy;

2. “Medical emergency” means a condition that, in reasonable
medical judgment:

a. cannot be remedied by delivery of the child, and
b. so complicates the medical condition of the pregnant
woman as to necessitate the immediate abortion of her
pregnancy to avert her death or for which a delay will
create serious risk of substantial and irreversible
physical impairment of a major bodily function, not
including psychological or emotional conditions. A
condition is not a medical emergency if it is based on
a claim, diagnosis, or determination that the woman
may engage in conduct which she intends to result in
her death or in the substantial and irreversible
physical impairment of a major bodily function; and

3. “Reasonable medical judgment” means a medical judgment that
would be made by a reasonably prudent physician who is knowledgeable
about the case and the treatment possibilities with respect to the
medical conditions involved.

SECTION 7. AMENDATORY 63 O.S. 2021, Section 1-745.2, is
amended to read as follows:
Section 1-745.2. As used in the Pain-Capable Unborn Child Protection Act only:

1. “Abortion” means the use or prescription act of using, prescribing, administering, procuring, or selling of any instrument, medicine, drug, or any other substance or device, or means with the purpose to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve, with knowledge that the termination by any of those means will with reasonable likelihood cause the death of an unborn child. It does not include the use, prescription, administration, procuring, or selling of any type of contraception if the contraception is administered before the time when a pregnancy could be determined through conventional medical testing. It does not include any act related to in vitro fertilization or otherwise related to the diagnosis or treatment of infertility or the preservation of fertility by a licensed healthcare provider acting lawfully and within the scope of his or her practice. An act is not an abortion if the act is performed with the purpose to:

   a. save the life or preserve the health of the unborn child after live birth, or to,

   b. remove a dead unborn child who died as the result of natural causes in utero, accidental trauma, or a criminal assault on the pregnant woman or her unborn child, and which causes the premature termination of
the pregnancy whose death was caused by miscarriage or spontaneous abortion, or

c. remove an ectopic pregnancy;

2. “Attempt to perform or induce an abortion” means an act, or an omission of a statutorily required act, that, under the circumstances as the actor believes them to be, constitutes a substantial step in a course of conduct planned to culminate in the performance or induction of an abortion in this state in violation of the Pain- Capable Unborn Child Protection Act;

3. “Postfertilization age” means the age of the unborn child as calculated from the fertilization of the human ovum;

4. “Fertilization” means the fusion of a human spermatozoon with a human ovum;

5. “Medical emergency” means a condition that, in reasonable medical judgment:

   a. cannot be remedied by delivery of the child, and

   b. so complicates the medical condition of the pregnant woman that it necessitates the immediate abortion of her pregnancy without first determining postfertilization age to avert her death or for which the delay necessary to determine postfertilization age will create serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological
or emotional conditions. No condition shall be deemed a medical emergency if it is based on a claim, diagnosis, or determination that the woman may engage in conduct which she intends to result in her death or in substantial and irreversible physical impairment of a major bodily function;

6. “Reasonable medical judgment” means a medical judgment that would be made by a reasonably prudent physician who is knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved;

7. “Physician” means any person licensed to practice medicine and surgery or osteopathic medicine and surgery in this state;

8. “Probable postfertilization age of the unborn child” means what, in reasonable medical judgment, will with reasonable probability be the postfertilization age of the unborn child at the time the abortion is planned to be performed or induced;

9. “Unborn child” or “fetus” each means an individual organism of the species homo sapiens from fertilization until live birth; and

10. “Woman” means a female human being whether or not she has reached the age of majority.

SECTION 8. AMENDATORY 63 O.S. 2021, Section 1-745.4, is amended to read as follows:

Section 1-745.4. A. Except as provided by subsection C of this section, no abortion shall be
performed or induced or be attempted to be performed or induced
unless the physician performing or inducing it has first made a
determination of the probable postfertilization age of the unborn
child or relied upon such a determination made by another physician.
In making such a determination, the physician shall make such
inquiries of the woman and perform or cause to be performed such
medical examinations and tests as a reasonably prudent physician,
knowledgeable about the case and the medical conditions involved,
would consider necessary to perform in making an accurate diagnosis
with respect to postfertilization age.

B. Knowing or reckless failure by any physician to conform to
any requirement of this section constitutes “unprofessional
conduct”.

C. Subsection A of this section shall not apply:
1. If the abortion is necessary due to a medical emergency as
defined in subsection D of this section; or
2. If the pregnancy is the result of:
   a. rape or sexual assault that has been reported to law
      enforcement, or
   b. incest of a minor that has been reported to law
      enforcement.

D. Any abortion performed or induced under an exception
provided by subsection C of this section, performed or induced to
remove an ectopic pregnancy, or performed or induced in compliance
with subsection A of this section shall be reported by the abortion
provider to the State Department of Health in accordance with
Section 18 of this act.

SECTION 9. AMENDATORY 63 O.S. 2021, Section 1-745.5, is
amended to read as follows:

Section 1-745.5. A. No Except as provided by subsection C of
Section 1-745.4 of this title, no person shall perform or induce or
attempt to perform or induce an abortion upon a woman when it has
been determined, by the physician performing or inducing or
attempting to perform or induce the abortion or by another physician
upon whose determination that physician relies, that the probable
postfertilization age of the woman’s unborn child is twenty (20) or
more weeks, unless, in reasonable medical judgment, she has a
condition which so complicates her medical condition as to
necessitate the abortion of her pregnancy to avert her death or to
avert serious risk of substantial and irreversible physical
impairment of a major bodily function, not including psychological
or emotional conditions. No such condition shall be deemed to exist
if it is based on a claim or diagnosis that the woman will engage in
conduct which she intends to result in her death or in substantial
and irreversible physical impairment of a major bodily function.

B. When an abortion upon a woman whose unborn child has been
determined to have a probable postfertilization age of twenty (20)
or more weeks is not prohibited by this section, the physician shall
terminate the pregnancy in the manner which, in reasonable medical judgment, provides the best opportunity for the unborn child to survive, unless, in reasonable medical judgment, termination of the pregnancy in that manner would pose a greater risk either of the death of the pregnant woman or of the substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions, of the woman than would other available methods. No such greater risk shall be deemed to exist if it is based on a claim or diagnosis that the woman will engage in conduct which she intends to result in her death or in substantial and irreversible physical impairment of a major bodily function.

SECTION 10. AMENDATORY Section 2, Chapter 190, O.S.L. 2022 (63 O.S. Supp. 2022, Section 1-745.32), is amended to read as follows:

Section 1-745.32. As used in this act the Oklahoma Heartbeat Act:

1. “Abortion” means the act of using, prescribing, administering, procuring, or selling of any instrument, medicine, drug, or any other substance, device, or means with the purpose to terminate the pregnancy of a woman, with knowledge that the termination by any of those means will with reasonable likelihood cause the death of an unborn child. It does not include the use, prescription, administration, procuring, or selling of any type of contraception if the contraception is administered before the time
when a pregnancy could be determined through conventional medical testing. It does not include any act related to in vitro fertilization or otherwise related to the diagnosis or treatment of infertility or the preservation of fertility by a licensed healthcare provider acting lawfully and within the scope of his or her practice. An act is not an abortion if the act is performed with the purpose to:

a. save the life or preserve the health of the unborn child,

b. remove a dead unborn child whose death was caused by miscarriage or spontaneous abortion, or

c. remove an ectopic pregnancy;

2. “Fetal heartbeat” means cardiac activity or the steady and repetitive rhythmic contraction of the fetal heart within the gestational sac;

2-3. “Gestational age” means the amount of time that has elapsed from the first day of a woman’s last menstrual period;

3-4. “Gestational sac” means the structure comprising the extraembryonic membranes that envelop the unborn child and that is typically visible by ultrasound after the fourth week of pregnancy;

4-5. “Medical emergency” means a condition that, in reasonable medical judgment:

a. cannot be remedied by delivery of the child, and
b. so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert her death or for which a delay will create serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. A condition is not a medical emergency if it is based on a claim, diagnosis, or determination that the woman may engage in conduct which she intends to result in her death or in the substantial and irreversible physical impairment of a major bodily function;

6. "Physician" means an individual licensed to practice medicine in this state including a medical doctor and a doctor of osteopathic medicine;

5-7. "Pregnancy" means the human female reproductive condition that:

a. begins with fertilization,

b. occurs when the woman is carrying the developing human offspring, and

c. is calculated from the first day of the woman’s last menstrual period;

8. "Reasonable medical judgment" means a medical judgment that would be made by a reasonably prudent physician who is
knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved;

9. “Standard medical practice” means the degree of skill, care, and diligence that an obstetrician of ordinary judgment, learning, and skill would employ in like circumstances;

7-10. “Unborn child” means a human fetus or embryo in any stage of gestation from fertilization until birth; and

2-11. “Woman” and “women” include any person whose biological sex is female including any person with XX chromosomes and any person with a uterus, regardless of any gender identity that the person attempts to assert or claim.

SECTION 11. AMENDATORY Section 3, Chapter 190, O.S.L. 2022 (63 O.S. Supp. 2022, Section 1-745.33), is amended to read as follows:

Section 1-745.33. A. For the purposes of determining the presence of a fetal heartbeat under this section, “standard medical practice” includes employing the appropriate means of detecting the heartbeat based on the estimated gestational age of the unborn child and the condition of the woman and her pregnancy.

B. Except as provided by Sections 5 and 6 of this act Sections 1-745.35 and 1-745.36 of this title or Section 14 of this act, an abortion may not be performed or induced, or attempted to be performed or induced on a pregnant woman unless a physician has
determined, in accordance with this section, whether the woman’s unborn child has a detectable fetal heartbeat.

C. In making a determination under subsection B of this section, the physician must use a test that is:

1. Consistent with the physician’s good faith and reasonable understanding of standard medical practice; and

2. Appropriate for the estimated gestational age of the unborn child and the condition of the pregnant woman and her pregnancy.

D. A physician making a determination under subsection B of this section shall record in the pregnant woman’s medical record:

1. The estimated gestational age of the unborn child;

2. The method used to estimate the gestational age; and

3. The test used for detecting a fetal heartbeat including the date, time, and results of the test.

SECTION 12. AMENDATORY Section 4, Chapter 190, O.S.L. 2022 (63 O.S. Supp. 2022, Section 1-745.34), is amended to read as follows:

Section 1-745.34. A. Except as provided by Sections 5 and 6 of this act Sections 1-745.35 and 1-745.36 of this title or Section 14 of this act, a physician shall not knowingly perform or induce, or attempt to perform or induce an abortion on a pregnant woman if the physician detected a fetal heartbeat for the unborn child as required by Section 3 of this act Section 1-745.33 of this title or failed to perform a test to detect a fetal heartbeat.
B. A physician shall not be in violation of this section if the physician performed a test for a fetal heartbeat as required by Section 3 of this act Section 1-745.33 of this title and did not detect a fetal heartbeat.

C. This section shall not affect any provision of state law that regulates or prohibits abortion including but not limited to any provision that restricts or regulates an abortion by a particular method or during a particular stage of pregnancy.

SECTION 13. AMENDATORY Section 5, Chapter 190, O.S.L. 2022 (63 O.S. Supp. 2022, Section 1-745.35), is amended to read as follows:

Section 1-745.35. A. Sections 3 and 4 of this act Sections 1-745.33 and 1-745.34 of this title shall not apply if a physician believes an abortion is necessary due to a medical emergency exists that prevents compliance with this act as defined in Section 1-745.32 of this title.

B. A physician who performs or induces an abortion under circumstances described by subsection A of this section shall make written notations in the pregnant woman’s medical record of:

1. The physician’s belief that a medical emergency necessitated the abortion; and

2. The medical condition of the pregnant woman that prevented compliance with this act the Oklahoma Heartbeat Act.
C. A physician performing or inducing an abortion under this section shall maintain in the physician’s practice records a copy of the notations made under subsection B of this section.

SECTION 14. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-745.35a of Title 63, unless there is created a duplication in numbering, reads as follows:

Sections 1-745.33 and 1-745.34 of Title 63 of the Oklahoma Statutes shall not apply if the pregnancy is the result of:

1. Rape or sexual assault that has been reported to law enforcement; or

2. Incest of a minor that has been reported to law enforcement.

SECTION 15. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-745.36a of Title 63, unless there is created a duplication in numbering, reads as follows:

Any abortion performed or induced under an exception provided by Section 1-745.35 or 1-745.36 of this title or Section 14 of this act, performed or induced to remove an ectopic pregnancy, or performed or induced in compliance with Sections 1-745.33 and 1-745.34 of Title 63 of the Oklahoma Statutes shall be reported by the abortion provider to the State Department of Health in accordance with Section 18 of this act.

SECTION 16. AMENDATORY Section 1, Chapter 321, O.S.L. 2022 (63 O.S. Supp. 2022, Section 1-745.51), is amended to read as follows:
Section 1-745.51. As used in this act Section 1-745.51 et seq. of this title:

1. “Abortion” means the act of using, prescribing, administering, procuring, or selling of any instrument, medicine, drug, or any other substance, device, or means with the purpose to terminate the pregnancy of a woman, with knowledge that the termination by any of those means will with reasonable likelihood cause the death of an unborn child. It does not include the use, prescription, administration, procuring, or selling of Plan B, morning-after pills, or any other type of contraception or emergency contraception if the contraception is administered before the time when a pregnancy could be determined through conventional medical testing. It does not include any act related to in vitro fertilization or otherwise related to the diagnosis or treatment of infertility or the preservation of fertility by a licensed healthcare provider acting lawfully and within the scope of his or her practice. An act is not an abortion if the act is performed with the purpose to:

a. save the life or preserve the health of the unborn child,

b. remove a dead unborn child whose death was caused by miscarriage or spontaneous abortion, or

c. remove an ectopic pregnancy;
2. “Fertilization” means the fusion of a human spermatozoon with a human ovum;

3. “Medical emergency” means a condition in which an abortion is necessary to preserve the life of a pregnant woman whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself that, in reasonable medical judgment:
   a. cannot be remedied by delivery of the child, and
   b. so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert her death or for which a delay will create serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. A condition is not a medical emergency if it is based on a claim, diagnosis, or determination that the woman may engage in conduct which she intends to result in her death or in the substantial and irreversible physical impairment of a major bodily function;

4. “Reasonable medical judgment” means a medical judgment that would be made by a reasonably prudent physician who is knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved;
“Unborn child” means a human fetus or embryo in any stage of gestation from fertilization until birth; and

“Woman” and “women” include any person whose biological sex is female, including any person with XX chromosomes and any person with a uterus, regardless of any gender identity that the person attempts to assert or claim.

SECTION 17. AMENDATORY Section 2, Chapter 321, O.S.L. 2022 (63 O.S. Supp. 2022, Section 1-745.52), is amended to read as follows:

Section 1-745.52. A. Except as provided by Section 3 of this act Section 1-745.53 of this title, a person shall not knowingly perform or induce, or attempt to perform or induce an abortion unless:

1. The abortion is necessary to save the life of a pregnant woman in due to a medical emergency as defined in Section 1-745.51 of this title; or

2. The pregnancy is the result of:

   a. rape, or sexual assault that has been reported to law enforcement, or

   b. incest of a minor that has been reported to law enforcement.

B. Any abortion performed or induced under an exception provided by subsection A of this section or Section 1-745.53 of this title or performed or induced to remove an ectopic pregnancy shall
be reported by the abortion provider to the State Department of
Health in accordance with Section 18 of this act.

SECTION 18. NEW LAW  A new section of law to be codified
in the Oklahoma Statutes as Section 1-738r of Title 63, unless there
is created a duplication in numbering, reads as follows:

A. Any abortion performed or induced under an exception
provided by Section 861 of Title 21 of the Oklahoma Statutes,
Section 509 or 637 of Title 59 of the Oklahoma Statutes, Section 1-
731.3, 1-731.4, or Section 1-732 of Title 63 of the Oklahoma
Statutes, Section 1-745.1 et seq. of Title 63 of the Oklahoma
Statutes, Section 1-745.31 et seq. of Title 63 of the Oklahoma
Statutes, or Section 1-745.51 of Title 63 of the Oklahoma Statutes
shall be reported by the abortion provider to the State Department
of Health on a form prescribed by the State Commissioner of Health.
The form shall not request the name of the woman who obtained the
abortion or any other potentially identifying information that could
lead to the identification of the woman.

B. The abortion provider shall state on the form the specific
exception under which the abortion was performed and shall provide a
detailed explanation of the justification for performing such
abortion including any relevant supporting documentation. The
completed form shall include all other information as may be
required by the Commissioner.
C. The Department shall compile the information received under this section into an annual statistical report which shall be published on the Department’s Internet website and submitted to the President Pro Tempore of the Senate and the Speaker of the House of Representatives each year.

D. The Commissioner shall promulgate rules to implement this section. Such rules shall include, but not be limited to:

1. The manner of reporting;
2. Information to be reported; and
3. Patient privacy protections that ensure the anonymity of women who obtain an abortion under an exception provided by Section 861 of Title 21 of the Oklahoma Statutes, Section 731.4 of Title 63 of the Oklahoma Statutes, Section 1-745.31 et seq. of Title 63 of the Oklahoma Statutes, or Section 1-745.51 of Title 63 of the Oklahoma Statutes.

SECTION 19. REPEALER 63 O.S. 2021, Sections 1-733 and 1-745.6, are hereby repealed.

SECTION 20. 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.