HB 2042

THE HOUSE OF REPRESENTATIVES
Wednesday, March 7, 2007

House Bill No. 2042

HOUSE BILL NO. 2042 - By: FAUGHT of the House and CRAIN of the Senate.

An Act relating to public health and safety; amending 63 O.S. 2001, Section 1-730, which relates to abortion; expanding definition; providing for noncodification; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2001, Section 1-730, is amended to read as follows:

Section 1-730. A. As used in this article:

1. "Abortion" means the ~~purposeful termination of a human~~ use or prescription of any instrument, medicine, drug, or any other substance or device intentionally to terminate the pregnancy~~, by any person~~ of a female known to be pregnant with an intention other than to ~~produce~~ 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 a dead unborn child who died as the result of a spontaneous abortion, accidental trauma, or a criminal assault on the pregnant female or her unborn child;

2. "Unborn child" means the unborn offspring of human beings from the moment of conception, through pregnancy, and until live birth including the human conceptus, zygote, morula, blastocyst, embryo and fetus;

3. "Viable" means potentially able to live outside of the womb of the mother upon premature birth, whether resulting from natural causes or an abortion;

4. "Conception" means the fertilization of the ovum of a female individual by the sperm of a male individual;

5. "Health" means physical or mental health;

6. "Department" means the State Department of Health; and

7. "Inducing an abortion" means the administration by any person, including the pregnant woman, of any substance designed or intended to cause an expulsion of the unborn child, effecting an abortion as defined above~~; and~~.

~~8.~~ B. Nothing contained ~~herein~~ in this section shall be construed in any manner to include any birth control device or medication or sterilization procedure.

SECTION 2. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

If any court of law enjoins, suspends, or delays the implementation of the provisions of Section 1 of this act, the provisions of Section 1-730 of this title, as of December 31, 2006, are effective during the injunction, suspension, or delayed implementation.

SECTION 3. This act shall become effective November 1, 2007.

COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY, dated 03-06-07 - DO PASS, As Coauthored.

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.