

# SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION BY SENATE

## FLOOR AMENDMENT

No. \_\_\_\_\_

\_\_\_\_\_  
(Date)

Mr./Madame President:

I move to amend Senate Bill No. 1274, Page 11, Line 8 ½, as follows:

By inserting a new SECTION 10 to read as follows;

By renumbering subsequent section; and

By amending the title to conform.

Submitted by:

\_\_\_\_\_  
Senator Constance Johnson

JohnsonC-JM-FA-SB1274  
2/29/2012 2:49 PM

- 1           SECTION 1.   NEW LAW   A new section of law to be codified in the Oklahoma Statutes  
2 as Section 1-745.20 of Title 63, unless there is created a duplication in numbering, reads as follows:  
3           A.   The Legislature finds that:  
4           1.   Thousands of children are deprived of birth in this state every year because of the lack of  
5 state regulation over vasectomies;  
6           2.   There is substantial evidence that unregulated vasectomies result in fewer unwanted  
7 pregnancies and, by extension, fewer births;

1           3. It is patently unfair that men can avoid the rewards of unwanted fatherhood by presuming  
2 that their judgment over such matters is more valid than the judgment of the Legislature;

3           4. Fewer unwanted pregnancies result in fewer children living in poverty and a lower  
4           prison population, and this is job killing in a time when social workers, police officers, and  
5           prison guards need the employment to feed their families; and

6           5. It is the purpose of the Legislature to assert an invasive state interest in the reproductive  
7           habits of men in this state and substitute the will of the government over the will of adult men.

8           B. 1. As used in this section, the term “vasectomy” means a surgical procedure performed on  
9           males in which the vas deferens are cut, tied, cauterized, or otherwise interrupted in such a manner  
10          that the semen no longer contains sperm and conception cannot occur.

11          2. No vasectomy is authorized or shall be performed in violation of this section.

12          3. In determining whether a vasectomy is necessary, no regard shall be made to the desire of a  
13          man to father children, to his economic situation, to his age, to the number of children he is currently  
14          responsible for, or to any danger to his wife or partner in the event a child is conceived. A  
15          vasectomy may only be performed to avert the death of the man or avert serious risk of substantial  
16          and irreversible physical impairment of a major bodily function of the man. No such condition shall  
17          be deemed to exist if it is based on a diagnosis or claim of a mental or emotional condition of the  
18          man or that the man will purposefully engage in conduct which he intends to result in his death or in  
19          substantial and irreversible physical impairment of a major bodily function.

20          4. No vasectomy is authorized or shall be performed unless the vasectomy is performed in a  
21          licensed hospital, in a licensed ambulatory surgical center, or in a health facility licensed as a  
22          vasectomy facility by the State Department of Health.

23          5. A vasectomy shall only be performed by a licensed healthcare provider.

1           6. Any person who performs a vasectomy, and any person permitting a vasectomy to be  
2 performed on him, in violation of the provisions of this section shall be guilty of a felony and, upon  
3 conviction, shall be sentenced to community service of not fewer than one thousand forty (1,040)  
4 hours in the field of service to needy families, caring for or counseling abused and neglected children  
5 or wayward teens, or performing service to inmates in a jail or correctional institution.