

1                                   **SENATE FLOOR VERSION**

2                                   February 22, 2016

3                                   **AS AMENDED**

4  
5  
6                                   SENATE BILL NO. 1118

By: Silk

7                                   **[ abortion - Heartbeat Informed Consent Act -**  
8                                   **effective date ]**

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

10                                  SECTION 1.           AMENDATORY           Section 4, Chapter 159, O.S.L.  
11                                  2012 (63 O.S. Supp. 2015, Section 1-745.14), is amended to read as  
12                                  follows:

13                                  Section 1-745.14.   A.   Any abortion provider who knowingly  
14                                  performs or induces any abortion shall comply with the requirements  
15                                  of the Heartbeat Informed Consent Act.

16                                  B.   ~~Prior to a woman giving informed consent to having any part~~  
17                                  ~~of an abortion performed or induced, if the pregnancy is at least~~  
18                                  ~~eight (8) weeks after fertilization, the abortion provider who is to~~  
19                                  ~~perform or induce the abortion or an agent of the abortion provider~~  
20                                  ~~shall tell the woman that it may be possible to make the embryonic~~  
21                                  ~~or fetal heartbeat of the unborn child audible for the pregnant~~  
22                                  ~~woman to hear and ask the woman if she would like to hear the~~  
23                                  ~~heartbeat. If the woman would like to hear the heartbeat, the~~  
24                                  ~~abortion provider shall, using a Doppler fetal heart rate monitor,~~

1 ~~make the embryonic or fetal heartbeat of the unborn child audible~~  
2 ~~for the pregnant woman to hear~~ Prior to the performance or  
3 inducement of an abortion, an abortion provider shall attempt to  
4 determine, consistent with standard medical practice, the presence  
5 of an embryonic or fetal heartbeat. It shall be unlawful for an  
6 abortion provider to perform or induce an abortion if an embryonic  
7 or fetal heartbeat is detected. An abortion provider or an agent of  
8 the abortion provider shall not be in violation of the requirements  
9 of this subsection if:

10 1. The provider or agent has attempted, consistent with  
11 standard medical practice, to make the embryonic or fetal heartbeat  
12 of the unborn child audible for the pregnant woman to hear using a  
13 Doppler fetal heart rate monitor;

14 2. That attempt does not result in the heartbeat being made  
15 audible; and

16 3. The provider has offered to attempt to make the heartbeat  
17 audible at a subsequent date.

18 C. Nothing in this section shall be construed to prevent the  
19 pregnant woman from not listening to the sounds detected by the  
20 Doppler fetal heart rate monitor pursuant to the requirements of  
21 subsection B of this section.

22 SECTION 2. This act shall become effective November 1, 2016.

23 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES  
24 February 22, 2016 - DO PASS AS AMENDED