

<DateSubmitted>

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB2797

By: Coody (Ann) of the House and Griffin of the Senate

Title: Schools; creating the Humanity of the Unborn Child Act; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

House Action _____ Date _____ Senate Action _____ Date _____

SENATE CONFEREES

Allen _____
 Anderson _____
 Barrington _____
 Bass _____
 Bice _____
 Boggs _____
 Brecheen _____
 Brooks _____
 Brown _____
 Crain _____
 Dahm _____
 David _____
 Dossett _____
 Fields _____
 Floyd _____
 Ford _____
 Fry _____
 Garrison _____
 Griffin _____
 Halligan _____
 Holt _____
 Jech _____
 Jolley _____
 Justice _____

Loveless _____
 Marlatt _____
 Matthews _____
 Mazzei _____
 Newberry _____
 Paddock _____
 Pittman _____
 Quinn _____
 Sharp _____
 Shaw _____
 Shortey _____
 Silk _____
 Simpson _____
 Smalley _____
 Sparks _____
 Standridge _____
 Stanislawski _____
 Sykes _____
 Thompson _____
 Treat _____
 Wyrick _____
 Yen _____

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

CONFERENCE COMMITTEE
SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 2797

By: Coody (Ann), Billy,
Peterson, Strohm, Kern,
Bennett, Christian, Ritze
and Moore of the House

and

Griffin, Loveless and
Brooks of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to schools; creating the Humanity of the Unborn Child Act; requiring State Department of Health to develop and maintain certain electronic form; requiring Department to develop certain materials; requiring State Department of Education to establish certain program; creating certain revolving fund; requiring funds to be expended by State Board of Education for certain purpose; requiring State Department of Education to operate certain program to educate public and students in certain grades; requiring Department to develop certain programs that contain certain criteria; prohibiting certain financings; requiring public schools operating at grade nine or ten to provide certain instruction; requiring public schools to inform parent prior to presentation of certain instruction; providing for codification; and providing an effective date.

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

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1-751 of Title 63, unless there
3 is created a duplication in numbering, reads as follows:

4 This act shall be known and may be cited as the "Humanity of the
5 Unborn Child Act".

6 SECTION 2. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 1-752 of Title 63, unless there
8 is created a duplication in numbering, reads as follows:

9 A. The State Department of Health shall develop, update
10 annually and maintain an electronic form containing information
11 concerning public and private agencies and services available to
12 assist a woman through pregnancy, upon childbirth and while the
13 child is dependent, which shall include a comprehensive list of the
14 agencies available, including adoption agencies, a description of
15 the services they offer and a description of the manner, including
16 telephone numbers and email addresses, by which they might be
17 contacted. The Department shall index this form geographically and
18 shall make it readily accessible on the Department's website. The
19 website shall include the following statement:

20 "There are many public and private agencies willing and able to
21 help you carry your child to term and assist you and your child
22 after your child is born, whether you choose to keep your child
23 or to place him or her for adoption. The State of Oklahoma
24 strongly urges you to contact them if you are pregnant."

1 B. The statement required by subsection A of this section shall
2 include the hyperlink to the section of the Department's Internet
3 website containing the information required by subsection A of this
4 section and shall be made available in a downloadable format
5 appropriate for display.

6 C. On or before January 1, 2018, the Department shall make
7 available to each facility in this state which is open to the public
8 containing a restroom available to the public, and licensed by the
9 State Department of Health, signage which is to be posted in its
10 restroom containing the statement and the website address to obtain
11 the information provided by subsection A of this section.

12 D. The State Board of Health shall promulgate rules to
13 implement the provisions of this section.

14 SECTION 3. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 1-753 of Title 63, unless there
16 is created a duplication in numbering, reads as follows:

17 The State Department of Health shall:

18 1. Develop and make available materials designed to provide
19 accurate, scientifically verifiable information concerning the
20 probable anatomical and physiological characteristics of the unborn
21 child at two-week gestational intervals. The Department may utilize
22 as a resource the material dealing with characteristics of the
23 unborn child created pursuant to Section 1-738.3 of Title 63 of the
24

Oklahoma Statutes and as located on the website www.awomansright.org under the link "Characteristics of the Unborn Child";

2. Develop and distribute educational and informational materials to provide public information through public service announcements, media and otherwise for the purpose of achieving an abortion-free society. Such materials shall be developed from the most readily available, accurate and up-to-date information and shall clearly and consistently teach that abortion kills a living human being. All efforts by the Department in this regard shall be reported annually to the Chair and Vice Chair of the Senate Health and Human Services Committee and the House Public Health Committee;

3. Provide technical assistance to help community-based organizations in the planning and implementation of abortion prevention, alternatives to abortion referral and education programs regarding the humanity of the unborn child;

4. Provide outreach, consultation, training and alternatives to abortion referral services to schools, organizations and members of the community;

5. Distribute educational and informational material concerning maternal behavior during pregnancy which is helpful to a human child in utero, including avoidance of tobacco, alcohol and other drugs; proper nutrition and prenatal vitamins; and utilization of and resources available for prenatal medical and wellness care; and

1 6. Recommend to the State Department of Education
2 scientifically verifiable information concerning the unborn child in
3 the educational standards of science, family and consumer sciences
4 and health classes.

5 SECTION 4. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 1-754 of Title 63, unless there
7 is created a duplication in numbering, reads as follows:

8 Contingent on the availability of funds being appropriated by
9 the legislature specifically for this purpose and pursuant to
10 Section 1-755 of Title 63 of the Oklahoma Statutes, the State
11 Department of Education, in collaboration with the State Department
12 of Health, shall establish an instructional program for students
13 consistent with the provisions of the Humanity of the Unborn Child
14 Act. Local school boards may choose to implement the instructional
15 program established by the State Department of Health and the State
16 Department of Education consistent with the provisions of the
17 Humanity of the Unborn Child Act. For school districts choosing to
18 implement the instructional program, the content of instruction used
19 by local schools to teach the humanity of the unborn child shall be
20 at the discretion of the local school board; provided, the
21 instructional program shall:

22 1. Provide accurate, scientifically verifiable information
23 concerning the probable anatomical and physiological characteristics
24 of the unborn child at two-week gestational intervals. The State

1 Department of Education may utilize as a resource the material
2 dealing with characteristics of the unborn child created pursuant to
3 Section 1-738.3 of Title 63 of the Oklahoma Statutes and as located
4 on the website www.awomansright.org under the link "Characteristics
5 of the Unborn Child";

6 2. Include information on accessing prenatal health care;
7 provided, no program or state employee may refer any student to a
8 medical facility or any provider for the performance of an abortion;

9 3. Include no component of human sexuality education other than
10 those included in science education standards; and

11 4. Comply with the provisions of the Parents' Bill of Rights,
12 Section 2001 et seq. of Title 25 of the Oklahoma Statutes.

13 SECTION 5. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 1-755 of Title 63, unless there
15 is created a duplication in numbering, reads as follows:

16 There is hereby created in the State Treasury a revolving fund
17 for the State Board of Education to be designated as the "Public
18 Education on the Humanity of the Unborn Child Fund". The fund shall
19 be a continuing fund, not subject to fiscal year limitations, and
20 shall consist of all monies deposited to the credit of the fund by
21 law. All monies accruing to the credit of said fund shall be
22 budgeted and expended by the Board for the establishment of the
23 instruction programs established in Section 4 of this act.
24 Expenditures from said fund shall be made upon warrants issued by

1 the State Treasurer against claims filed as prescribed by law with
2 the Director of the Office of Management and Enterprise Services for
3 approval and payment.

4 SECTION 6. This act shall become effective November 1, 2016.

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