

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

SENATE BILL 606

By: Dahm

AS INTRODUCED

An Act relating to abortion; amending Section 4, Chapter 159, O.S.L. 2012 (63 O.S. Supp. 2014, Section 1-745.14), which relates to audible heartbeats; requiring determination of fetal heartbeat by certain persons; requiring certain notice; requiring signatures of certain persons on certain forms; directing promulgation of rules; and providing an effective date.

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

SECTION 1. AMENDATORY Section 4, Chapter 159, O.S.L. 2012 (63 O.S. Supp. 2014, Section 1-745.14), is amended to read as follows:

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

B. Prior to a woman giving informed consent to having any part of an abortion performed or induced, if the pregnancy is at least eight (8) weeks after fertilization, the abortion provider ~~who is to perform or induce the abortion or an agent of the abortion provider~~ shall tell the woman that it may be possible to make the embryonic

1 or fetal heartbeat of the unborn child audible for the pregnant  
2 woman to hear and ask the woman if she would like to hear the  
3 heartbeat. A person who intends to perform an abortion on a  
4 pregnant woman shall determine if there is the presence of a fetal  
5 heartbeat of the unborn human individual that the pregnant woman is  
6 carrying according to standard medical practice. No later than  
7 twenty-four (24) hours prior to the performance of the intended  
8 abortion:

9 1. The person intending to perform the abortion shall inform  
10 the pregnant woman in writing that the unborn human individual that  
11 the pregnant woman is carrying has a fetal heartbeat and shall  
12 inform the pregnant woman, to the best of the person's knowledge, of  
13 the statistical probability of bringing the unborn human individual  
14 to term based on the gestational age of the unborn human individual  
15 possessing a detectable fetal heartbeat; and

16 2. The pregnant woman shall sign a form acknowledging that the  
17 pregnant woman has received information from the person intending to  
18 perform the abortion that the unborn human individual that the  
19 pregnant woman is carrying has a fetal heartbeat and that the  
20 pregnant woman is aware of the statistical probability of bringing  
21 the unborn human individual that the pregnant woman is carrying to  
22 term.

23 C. If the woman would like to hear the heartbeat, the abortion  
24 provider shall, using a Doppler fetal heart rate monitor, make the

1 embryonic or fetal heartbeat of the unborn child audible for the  
2 pregnant woman to hear. An abortion provider or an agent of the  
3 abortion provider shall not be in violation of the requirements of  
4 this subsection if:

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

9 2. That attempt does not result in the heartbeat being made  
10 audible; and

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

13 ~~C.~~ D. Nothing in this section shall be construed to prevent the  
14 pregnant woman from not listening to the sounds detected by the  
15 Doppler fetal heart rate monitor pursuant to the requirements of  
16 subsection B of this section.

17 E. The State Board of Health shall promulgate rules to comply  
18 with the provisions of this section.

19 SECTION 2. This act shall become effective November 1, 2015.

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