1   STATE OF OKLAHOMA

2   1st Session of the 56th Legislature (2017)

3   COMMITTEE SUBSTITUTE
     FOR
4   HOUSE BILL NO. 1703   By: Calvey

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7   COMMITTEE SUBSTITUTE

8   An Act relating to public health and safety; creating
          the Choosing Childbirth Act; defining certain terms;
9   requiring State Department of Health to make grants
          to certain entities; providing eligibility for
10   organizations to receive grants; requiring Department
          to make certain grants as funds become available from
11   appropriations; requiring Department to annually
          monitor and review each grantee; providing for
12   inseverability; providing for codification; and
          providing an effective date.
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16   BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17   SECTION 1.   NEW LAW   A new section of law to be codified

18   in the Oklahoma Statutes as Section 1-740.15 of Title 63, unless

19   there is created a duplication in numbering, reads as follows:

20   This act shall be known and may be cited as the "Choosing

21   Childbirth Act".

22   SECTION 2.   NEW LAW   A new section of law to be codified

23   in the Oklahoma Statutes as Section 1-740.16 of Title 63, unless

24   there is created a duplication in numbering, reads as follows:

1   As used in the Choosing Childbirth Act:

2   1. "Abortion" means the use or prescription of any instrument,

3   medicine, drug or any other substance or device to intentionally:

4   a.   kill the unborn child of a woman known to be pregnant,

5   or

6   b.   terminate the pregnancy of a woman known to be

7   pregnant, with an intention other than:

8   (1) after viability of the unborn child, to produce a

9   live birth and preserve the life and health of

10   the child born alive, or

11   (2) to remove a dead unborn child;

12   2. "Unborn child" means an individual organism of the species

13   Homo sapiens from fertilization until birth; and

14   3. "Grant-supervising entity" means a private entity which

15   approves all grants provided under the Choosing Childbirth Act and

16   which:

17   a.   is organized as a not-for-profit corporation in

18   Oklahoma and as a 501(c)3 entity under the federal

19   Internal Revenue Code, and

20   b.   does not encourage or counsel any woman to have an

21   abortion not necessary to prevent her death, to

22   provide her such an abortion or to refer her for such

23   an abortion, and does not accept funds or services

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1   knowingly from any entity which performs abortions or

2   receives money for abortions.

3   SECTION 3.   NEW LAW   A new section of law to be codified

4 in the Oklahoma Statutes as Section 1-740.17 of Title 63, unless

5 there is created a duplication in numbering, reads as follows:

6   A. The State Department of Health shall make grants to a grant-

7 supervising entity for the purpose of reimbursing private

8 organizations in Oklahoma for the reasonable expenses of programs

9 providing the following services:

10   1. Providing information on, referral to, and assistance in

11 securing the services of relevant existing programs or agencies that

12 assist women in Oklahoma to carry their children to term, and/or

13 providing services that assist women to carry their children to

14 term, including, but not limited to, agencies and programs that will

15 provide medical attention for the pregnant woman for the duration of

16 her pregnancy, nutritional support services, housing assistance,

17 adoption services, education and employment assistance and parenting

18 education and support services; and

19   2. Providing women in Oklahoma, in person and through community

20 outreach, information and/or services that encourage and assist them

21 to carry their children to term.

22   B. To be eligible for a service grant, an organization shall:

23   1. Be registered with the Oklahoma Secretary of State as a not-

24 for-profit corporation located in Oklahoma;

1   2. Have the grant amount approved by a grant-supervising

2   entity;

3   3. Provide each pregnant woman counseled with accurate

4   information on the developmental characteristics of unborn children,

5   including offering the printed information described in Section 1-

6   738.3 of Title 63 of the Oklahoma Statutes;

7   4. Assure that the grant's sole purposes are to assist and

8   encourage women to carry their children to term and to maximize

9   their potentials thereafter; and

10   5. Assure that none of the funds provided pursuant to the

11   Choosing Childbirth Act, nor any other funds or services provided by

12   the organization, are used to encourage or counsel a woman to have

13   an abortion not necessary to prevent her death, to provide her such

14   an abortion or to refer her for such an abortion.

15   SECTION 4.   NEW LAW   A new section of law to be codified

16   in the Oklahoma Statutes as Section 1-740.18 of Title 63, unless

17   there is created a duplication in numbering, reads as follows:

18   The State Department of Health shall make grants to a grant-

19   supervising entity under the Choosing Childbirth Act as funds become

20   available from appropriations. The State Department of Health shall

21   annually monitor and review the grant-supervising entity to assure

22   that the grant-supervising entity carefully adheres to the purposes

23   and requirements of the Choosing Childbirth Act, and it shall cease

24   funding a grant-supervising entity that fails to do so if the

1 Department proves specific findings of noncompliance, subject to

2 judicial review.

3   SECTION 5.   NEW LAW   A new section of law to be codified

4 in the Oklahoma Statutes as Section 1-740.19 of Title 63, unless

5 there is created a duplication in numbering, reads as follows:

6   If any provision, word, phrase or clause of the Choosing

7 Childbirth Act or the application thereof to any person or

8 circumstance is held invalid, such invalidity shall make the entire

9 Act invalid and to this end, the provisions, works, phrases and

10 clauses of the Choosing Childbirth Act are declared to be

11 inseverable.

12   SECTION 6. This act shall become effective November 1, 2017.

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14   56-1-7261   LRB   03/02/17

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