

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend House Bill No. 1703, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Treat

Treat-LB-FS-Req#1779
4/27/2017 9:03 AM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

FLOOR SUBSTITUTE
FOR ENGROSSED

HOUSE BILL NO. 1703

By: Calvey and Bennett (John)
of the House

and

Treat and Marlatt of the
Senate

FLOOR SUBSTITUTE

[public health and safety - Choosing Childbirth Act
- codification - effective date]

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 1-740.15 of Title 63, unless
there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Choosing
Childbirth Act".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 1-740.16 of Title 63, unless
there is created a duplication in numbering, reads as follows:

As used in the Choosing Childbirth Act:

1. "Abortion" means the use or prescription of any instrument, medicine, drug or any other substance or device to intentionally:

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

b. terminate the pregnancy of a woman known to be pregnant, with an intention other than:

(1) after viability of the unborn child, to produce a live birth and preserve the life and health of the child born alive, or

(2) to remove a dead unborn child;

2. "Unborn child" means an individual organism of the species Homo sapiens from fertilization until birth; and

3. "Grant-supervising entity" means a private entity which approves all grants provided under the Choosing Childbirth Act and which:

a. is organized as a not-for-profit corporation in Oklahoma and as a 501(c)3 entity under the federal Internal Revenue Code, and

b. does not encourage or counsel any woman to have an abortion not necessary to prevent her death, to provide her such an abortion or to refer her for such an abortion, and does not accept funds or services knowingly from any entity which performs abortions or receives money for abortions.

1 SECTION 3. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1-740.17 of Title 63, unless
3 there is created a duplication in numbering, reads as follows:

4 A. The State Department of Health shall make grants, from funds
5 appropriated by the Legislature specifically for this purpose, to a
6 grant-supervising entity for the purpose of reimbursing private
7 organizations in Oklahoma for the reasonable expenses of programs
8 providing the following services:

9 1. Providing information on, referral to, and assistance in
10 securing the services of relevant existing programs or agencies that
11 assist women in Oklahoma to carry their children to term, and/or
12 providing services that assist women to carry their children to
13 term, including, but not limited to, agencies and programs that will
14 provide medical attention for the pregnant woman for the duration of
15 her pregnancy, nutritional support services, housing assistance,
16 adoption services, education and employment assistance and parenting
17 education and support services; and

18 2. Providing women in Oklahoma, in person and through community
19 outreach, information and/or services that encourage and assist them
20 to carry their children to term.

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

22 1. Be registered with the Oklahoma Secretary of State as a not-
23 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 from funds
20 appropriated by the Legislature specifically for this purpose. The
21 State Department of Health shall annually monitor and review the
22 grant-supervising entity to assure that the grant-supervising entity
23 carefully adheres to the purposes and requirements of the Choosing
24 Childbirth Act, and it shall cease funding a grant-supervising

1 entity that fails to do so if the Department proves specific
2 findings of noncompliance, subject to 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, words, 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 56-1-1779 LB 4/27/2017 9:03:26 AM
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