

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 4116

By: Roberts (Sean)

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5  
6 AS INTRODUCED

7 An Act relating to public health; amending Section 2,  
8 Chapter 170, O.S.L. 2012 (63 O.S. Supp. 2019, Section  
9 1-729.2), which relates to abortions; providing for  
10 penalties; providing for assessment of fine; removing  
11 exception; amending 63 O.S. 2011, Section 1-731,  
12 which relates to persons who may perform abortions;  
13 removing exceptions; prohibiting performance of an  
14 abortion; providing for penalties; amending 63 O.S.  
15 2011, Section 1-733, which relates to self-induced  
16 abortions; removing exception; providing for  
17 penalties; repealing Sections 1, 4 and 5, Chapter  
18 170, O.S.L. 2012, 63 O.S. 2011, Sections 1-731.2, 1-  
19 732, 1-737.4, as amended by Section 1, Chapter 123,  
20 O.S.L. 2017, 1-737.5 and 1-737.6 (63 O.S. Supp. 2019,  
21 Sections 1-729.1, 1-729.4, 1-729.5 and 1-737.4),  
22 which relate to performance of an abortion; and  
23 providing an effective date.

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

SECTION 1. AMENDATORY Section 2, Chapter 170, O.S.L.  
2012 (63 O.S. Supp. 2019, Section 1-729.2), is amended to read as  
follows:

Section 1-729.2 Any person who knowingly or recklessly violates  
this act shall be guilty of a felony punishable by imprisonment for

1 not less than forty (40) years nor more than fifty (50) years in the  
2 State Penitentiary and assessed a fine of not less than Two Hundred  
3 Fifty Thousand Dollars (\$250,000.00) nor more than Five Hundred  
4 Thousand Dollars (\$500,000.00). Any term of imprisonment pursuant  
5 to this section shall be served consecutively. No penalty may be  
6 assessed against the female upon whom the abortion is performed or  
7 induced or attempted to be performed or induced.

8 SECTION 2. AMENDATORY 63 O.S. 2011, Section 1-731, is  
9 amended to read as follows:

10 Section 1-731. ~~A.~~ No person shall perform or induce an  
11 abortion upon a pregnant woman ~~unless that person is a physician~~  
12 ~~licensed to practice medicine in the State of Oklahoma.~~ Any person  
13 violating this section shall be guilty of a felony punishable by  
14 imprisonment for not less than ~~one (1) year~~ forty (40) years nor  
15 more than ~~three (3)~~ fifty (50) years in the State Penitentiary and  
16 assessed a fine of not less than Two Hundred Fifty Thousand Dollars  
17 (\$250,000.00) nor more than Five Hundred Thousand Dollars  
18 (\$500,000.00). Any term of imprisonment pursuant to this section  
19 shall be served consecutively.

20 ~~B.~~ ~~No person shall perform or induce an abortion upon a~~  
21 ~~pregnant woman subsequent to the end of the first trimester of her~~  
22 ~~pregnancy, unless such abortion is performed or induced in a general~~  
23 ~~hospital.~~

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1 SECTION 3. AMENDATORY 63 O.S. 2011, Section 1-733, is  
2 amended to read as follows:

3 Section 1-733. No woman shall perform or induce an abortion  
4 upon herself, ~~except under the supervision of a duly licensed~~  
5 ~~physician.~~ Any physician who supervises a woman in performing or  
6 inducing an abortion upon herself shall ~~fulfill all the requirements~~  
7 ~~of this article which apply to a physician performing or inducing an~~  
8 ~~abortion~~ be guilty of a felony punishable by imprisonment for not  
9 less than forty (40) years nor more than fifty (50) years in the  
10 State Penitentiary and assessed a fine of not less than Two Hundred  
11 Fifty Thousand Dollars (\$250,000.00) nor more than Five Hundred  
12 Thousand Dollars (\$500,000.00). Any term of imprisonment pursuant  
13 to this section shall be served consecutively.

14 SECTION 4. REPEALER Sections 1, 4 and 5, Chapter 170,  
15 O.S.L. 2012, 63 O.S. 2011, Sections 1-731.2, 1-732, 1-737.4, as  
16 amended by Section 1, Chapter 123, O.S.L. 2017, 1-737.5 and 1-737.6  
17 (63 O.S. Supp. 2019, Sections 1-729.1, 1-729.4, 1-729.5 and 1-737.4)  
18 are hereby repealed.

19 SECTION 5. This act shall become effective November 1, 2020.  
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