

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 SENATE BILL 1561

By: Merrick

4  
5  
6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending  
8 21 O.S. 2021, Section 691, which relates to homicide;  
9 adding definitions; modifying inclusions of homicide;  
and providing an effective date.

10  
11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 21 O.S. 2021, Section 691, is  
13 amended to read as follows:

14 Section 691. A. Homicide is the killing of one human being by  
15 another.

16 B. As used in this section, ~~"human being":~~

17 1. "Human being" includes an unborn child, as defined in  
18 Section 1-730 of Title 63 of the Oklahoma Statutes;

19 2. "Abortion" means the act of using or prescribing an  
20 instrument, drug, medicine or any other substance, device, or means  
21 with the intent to cause the death of an unborn child, which shall  
22 not include instances in which an unborn child dies by natural  
23 causes;  
24

1        3. "Unborn child" or "unborn person" means the unborn offspring  
2 of human beings from the moment of fertilization and until live  
3 birth including the developmental stages of human conceptus, zygote,  
4 morula, blastocyst, embryo, and fetus; and

5        4. "Fertilization" means the fusion of a human spermatozoon  
6 with a human ovum.

7        C. Homicide shall ~~not~~ include:

8        ~~1. Acts but not be limited to acts~~ which cause the death of an  
9 unborn child ~~if these acts were committed during a legal~~ an abortion  
10 ~~to which the pregnant woman consented; or~~

11        ~~2. Acts which are committed pursuant to the usual and customary~~  
12 ~~standards of medical practice during diagnostic testing or~~  
13 ~~therapeutic treatment.~~

14        ~~D. Under no circumstances shall the mother of the unborn child~~  
15 ~~be prosecuted for causing the death of the unborn child unless the~~  
16 ~~mother has committed a crime that caused the death of the unborn~~  
17 ~~child.~~

18        SECTION 2. This act shall become effective November 1, 2022.

19  
20        58-2-2544            DC            1/20/2022 10:53:36 AM