

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

SENATE BILL 923

By: McCortney

AS INTRODUCED

An Act relating to abortion; repealing 21 O.S. 2011, Sections 684, 714, 862 and 863, which relate to crimes and punishments; repealing 63 O.S. 2011, Sections 1-727, 1-728a through 1-728f, 1-729a, as amended by Section 1, Chapter 121, O.S.L. 2014 (63 O.S. Supp. 2020, Section 1-729a), 1-730, as amended by Section 3, Chapter 149, O.S.L. 2020 (63 O.S. Supp. 2020, Section 1-730), 1-731, 1-731.2 through 1-737, 1-737.4, as amended by Section 1, Chapter 123, O.S.L. 2017 (63 O.S. Supp. 2020, Section 1-737.4), 1-737.5, 1-737.6, 1-738i, 1-738j, 1-738k, as amended by Section 1, Chapter 303, O.S.L. 2013 (63 O.S. Supp. 2020, Section 1-738k), 1-738l, 1-738m, as amended by Section 6, Chapter 255, O.S.L. 2015 (63 O.S. Supp. 2020, Section 1-738m), 1-738n, as amended by Section 3, Chapter 303, O.S.L. 2013 (63 O.S. Supp. 2020, Section 1-738n), 1-738o, 1-738p, 1-738.1A, 1-738.2 through 1-738.3a, as amended by Sections 1 through 3, Chapter 255, O.S.L. 2015 (63 O.S. Supp. 2020, Sections 1-738.2 through 1-738.3a), 1-738.3d, 1-738.3e, 1-738.4, 1-738.5, 1-738.6, 1-738.7, 1-738.8, as amended by Section 4, Chapter 255, O.S.L. 2015 (63 O.S. Supp. 2020, Section 1-738.8), 1-738.9 through 1-738.12, 1-738.13, as amended by Section 5, Chapter 255, O.S.L. 2015 (63 O.S. Supp. 2020, Section 1-738.13), 1-738.14 through 1-740.1, 1-740.2, 1-740.3 and 1-740.4, as amended by Sections 2, 3 and 4, Chapter 320, O.S.L. 2013 (63 O.S. Supp. 2020, Sections 1-740.2, 1-740.3 and 1-740.4), 1-740.4a, 1-740.4b, as amended by Section 1, Chapter 387, O.S.L. 2015 (63 O.S. Supp. 2020, Section 1-740.4b), 1-740.5 through 1-740.11, 1-740.12, as amended by Section 485, Chapter 304, O.S.L. 2012 (63 O.S. Supp. 2020, Section 740.12), 1-741 through 1-743, and 1-745.1 through 1-745.11, which relate to abortion; repealing

1 Sections 1 through 7, Chapter 170, O.S.L. 2012 (63
2 O.S. Supp. 2020, Sections 1-729.1 through 1-729.7),
3 which relate to the Freedom of Conscience Act;
4 repealing Sections 1 through 9, Chapter 159, O.S.L.
5 2012 (63 O.S. Supp. 2020, Sections 1-745.12 through
6 1-745.19), which relate to the Heartbeat Informed
7 Consent Act; repealing Section 4, Chapter 303, O.S.L.
8 2013 (63 O.S. Supp. 2020, Section 1-738q), which
9 relates to the Statistical Reporting of Abortion Act;
10 repealing Sections 1 through 6, Chapter 198, O.S.L.
11 2012 (63 O.S. Supp. 2020, Sections 1-738.3f through
12 1-738.3k), which relate to voluntary and informed
13 consent; repealing Sections 2, 4 and 5, Chapter 268,
14 O.S.L. 2013 (63 O.S. Supp. 2020, Sections 1-740.2A,
15 1-740.13 and 1-740.14), which relate to abortion
16 performed upon minors; repealing Sections 1 and 5
17 through 10, Chapter 320, O.S.L. 2013 (63 O.S. Supp.
18 2020, Sections 1-744 through 1-744.6), which relate
19 to the Parental Notification for Abortion Act;
20 repealing Sections 1, 3 through 5 and 7 through 10,
21 Chapter 175, O.S.L. 2014 (63 O.S. Supp. 2020,
22 Sections 1-746.1, 1-746.3 through 1-746.5 and 1-746.7
23 through 1-746.10), which relate to abortions;
24 repealing Sections 2 and 6, Chapter 175, O.S.L. 2014,
as amended by Sections 7 and 8, Chapter 255, O.S.L.
2015 (63 O.S. Supp. 2020, Sections 1-746.2 and 1-
746.6), which relate to abortions; repealing Section
1, Chapter 370, O.S.L. 2014 (63 O.S. Supp. 2020,
Section 1-748), which relates to abortion facilities;
repealing Sections 1 through 10, Chapter 59, O.S.L.
2015 (63 O.S. Supp. 2020, Sections 1-737.7 through 1-
737.16), which relate to the Oklahoma Unborn Child
Protection from Dismemberment Act; repealing Section
9, Chapter 255, O.S.L. 2015 (63 O.S. Supp. 2020,
Section 1-738.5a), which relates to performing or
attempting an abortion in violation of act; repealing
Sections 2 through 4, Chapter 387, O.S.L. 2015 (63
O.S. Supp. 2020, Sections 1-749 through 1-750), which
relate to abortion procedure compliance requirements;
repealing Sections 1 and 3 through 5, Chapter 353,
O.S.L. 2016 (63 O.S. Supp. 2020, Sections 1-751 and
1-753 through 1-755), which relate to the Humanity of
the Unborn Child Act; repealing Section 2, Chapter
353, O.S.L. 2016, as amended by Section 2, Chapter
123, O.S.L. 2017 (63 O.S. Supp. 2020, Section 1-752),
which relates to the Humanity of the Unborn Child
Act; repealing Section 1, Chapter 174, O.S.L. 2019

1 (63 O.S. Supp. 2020, Section 1-756), which relates to
2 medication abortions; and providing a contingent
3 effective date.

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

5 SECTION 1. REPEALER 21 O.S. 2011, Sections 684, 714, 862
6 and 863, are hereby repealed.

7 SECTION 2. REPEALER 63 O.S. 2011, Sections 1-727, 1-728a
8 through 1-728f, 1-729a, as amended by Section 1, Chapter 121, O.S.L.
9 2014 (63 O.S. Supp. 2020, Section 1-729a), 1-730, as amended by
10 Section 3, Chapter 149, O.S.L. 2020 (63 O.S. Supp. 2020, Section 1-
11 730), 1-731, 1-731.2 through 1-737, 1-737.4, as amended by Section
12 1, Chapter 123, O.S.L. 2017 (63 O.S. Supp. 2020, Section 1-737.4),
13 1-737.5, 1-737.6, 1-738i, 1-738j, 1-738k, as amended by Section 1,
14 Chapter 303, O.S.L. 2013 (63 O.S. Supp. 2020, Section 1-738k), 1-
15 738l, 1-738m, as amended by Section 6, Chapter 255, O.S.L. 2015 (63
16 O.S. Supp. 2020, Section 1-738m), 1-738n, as amended by Section 3,
17 Chapter 303, O.S.L. 2013 (63 O.S. Supp. 2020, Section 1-738n), 1-
18 738o, 1-738p, 1-738.1A, 1-738.2 through 1-738.3a, as amended by
19 Sections 1 through 3, Chapter 255, O.S.L. 2015 (63 O.S. Supp. 2020,
20 Sections 1-738.2 through 1-738.3a), 1-738.3d, 1-738.3e, 1-738.4, 1-
21 738.5, 1-738.6, 1-738.7, 1-738.8, as amended by Section 4, Chapter
22 255, O.S.L. 2015 (63 O.S. Supp. 2020, Section 1-738.8), 1-738.9
23 through 1-738.12, 1-738.13, as amended by Section 5, Chapter 255,
24 O.S.L. 2015 (63 O.S. Supp. 2020, Section 1-738.13), 1-738.14 through

1 1-740.1, 1-740.2, 1-740.3 and 1-740.4, as amended by Sections 2, 3
2 and 4, Chapter 320, O.S.L. 2013 (63 O.S. Supp. 2020, Sections 1-
3 740.2, 1-740.3 and 1-740.4), 1-740.4a, 1-740.4b, as amended by
4 Section 1, Chapter 387, O.S.L. 2015 (63 O.S. Supp. 2020, Section 1-
5 740.4b), 1-740.5 through 1-740.11, 1-740.12, as amended by Section
6 485, Chapter 304, O.S.L. 2012 (63 O.S. Supp. 2020, Section 740.12),
7 1-741 through 1-743, and 1-745.1 through 1-745.11, are hereby
8 repealed.

9 SECTION 3. REPEALER Sections 1 through 7, Chapter 170,
10 O.S.L. 2012 (63 O.S. Supp. 2020, Sections 1-729.1 through 1-729.7),
11 are hereby repealed.

12 SECTION 4. REPEALER Sections 1 through 9, Chapter 159,
13 O.S.L. 2012 (63 O.S. Supp. 2020, Sections 1-745.12 through 1-
14 745.19), are hereby repealed.

15 SECTION 5. REPEALER Section 4, Chapter 303, O.S.L. 2013
16 (63 O.S. Supp. 2020, Section 1-738q), is hereby repealed.

17 SECTION 6. REPEALER Sections 1 through 6, Chapter 198,
18 O.S.L. 2012 (63 O.S. Supp. 2020, Sections 1-738.3f through 1-
19 738.3k), are hereby repealed.

20 SECTION 7. REPEALER Sections 2, 4, and 5, Chapter 268,
21 O.S.L. 2013 (63 O.S. Supp. 2020, Sections 1-740.2A, 1-740.13 and 1-
22 740.14), are hereby repealed.

SECTION 8. REPEALER Sections 1 and 5 through 10, Chapter 320, O.S.L. 2013 (63 O.S. Supp. 2020, Sections 1-744 through 1-744.6), are hereby repealed.

SECTION 9. REPEALER Sections 1, 3 through 5 and 7 through 10, Chapter 175, O.S.L. 2014 (63 O.S. Supp. 2020, Sections 1-746.1, 1-746.3 through 1-746.5 and 1-746.7 through 1-746.10), are hereby repealed.

SECTION 10. REPEALER Sections 2 and 6, Chapter 175, O.S.L. 2014, as amended by Sections 7 and 8, Chapter 255, O.S.L. 2015 (63 O.S. Supp. 2020, Sections 1-746.2 and 1-746.6), are hereby repealed.

SECTION 11. REPEALER Section 1, Chapter 370, O.S.L. 2014 (63 O.S. Supp. 2020, Section 1-748), is hereby repealed.

SECTION 12. REPEALER Sections 1 through 10, Chapter 59, O.S.L. 2015 (63 O.S. Supp. 2020, Sections 1-737.7 through 1-737.16), are hereby repealed.

SECTION 13. REPEALER Section 9, Chapter 255, O.S.L. 2015 (63 O.S. Supp. 2020, Section 1-738.5a), is hereby repealed.

SECTION 14. REPEALER Sections 2 through 4, Chapter 387, O.S.L. 2015 (63 O.S. Supp. 2020, Sections 1-749 through 1-750), are hereby repealed.

SECTION 15. REPEALER Sections 1 and 3 through 5, Chapter 353, O.S.L. 2016 (63 O.S. Supp. 2020, Sections 1-751 and 1-753 through 1-755), are hereby repealed.

SECTION 16. REPEALER Section 2, Chapter 353, O.S.L.

2016, as amended by Section 2, Chapter 123, O.S.L. 2017 (63 O.S. Supp. 2020, Section 1-752), is hereby repealed.

SECTION 17. REPEALER Section 1, Chapter 174, O.S.L. 2019 (63 O.S. Supp. 2020, Section 1-756), is hereby repealed.

SECTION 18. This act shall become effective on and after the certification of the Attorney General that:

1. The United States Supreme Court overrules the central holding of *Roe v. Wade*, 410 U.S. 113 (1973), reaffirmed by *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833 (1992), thereby restoring to the State of Oklahoma the authority to prohibit abortion; or

2. An amendment to the United States Constitution is adopted that restores to the State of Oklahoma the authority to prohibit abortion.

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