

**BILL SUMMARY**  
1<sup>st</sup> Session of the 58<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB1102</b>
<b>Version:</b>	<b>Introduced</b>
<b>Request Number:</b>	<b>5011</b>
<b>Author:</b>	<b>Olsen</b>
<b>Date:</b>	<b>2/18/2021</b>
<b>Impact:</b>	<b>Unknown</b>

**Research Analysis**

HB 1102 modifies the categories of “unprofessional conduct” to include the performance of an abortion as defined by Oklahoma law. The exception is an abortion that is necessary to prevent the death or significant physical impairment of the mother.

The measure prohibits an abortion based on the mental or emotional health of the mother.

The State Board of Health is required to penalize a licensee who violates this rule with certain penalties.

The measure directs the office of the Attorney General to calculate costs paid for by the state or local entities in court challenges to this act. The office of the Attorney General is also required to report such amounts for each calendar quarter to all members of the Legislature.

If this act is ever temporarily or permanently restrained by court order, the remaining provisions of this act are required to be enforced with full force and effect.

Prepared By: Dan Brooks

**Fiscal Analysis**

From the OGA:

If any part of the act is challenged as unconstitutional (state or federal), the OAG must determine the amount of state and local funds expended to defend the action. This determination is made by multiplying the hours spent by the rate of compensation plus costs to employ outside counsel and costs of the action. We must then report these costs to the legislature every quarter. As far as how much this might cost, I cannot give an estimate. We do not currently track our time related to each case, so that would be a new requirement. To my knowledge, we do not have outside counsel working on current litigation in this arena. As far as reporting this time and costs to the legislature, this would be a novel requirement.

It also requires us to report local funds expended. I am not sure we would have the ability to report what local governments or political subdivisions would be spending to defend the litigation – if anything.

Prepared By: Stacy Johnson

**Other Considerations**

None.

