

**Bill Summary**  
2<sup>nd</sup> Session of the 60<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>SB 1657</b>
<b>Version:</b>	<b>INT</b>
<b>Request No.</b>	<b>2462</b>
<b>Author:</b>	<b>Sen. Daniels</b>
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**Bill Analysis**

SB 1657 prohibits any person from manufacturing, mailing, transporting, or distributing an abortion-inducing drug in the state. The measure specifies that it shall not apply to hospitals, health care facilities, health care providers, Internet service providers, Internet search engines, cloud service providers, or certain persons mailing the drug for medical reasons outlined in the measure. The measure shall not apply to speech protected by the 1<sup>st</sup> Amendment, conduct a pregnant woman engages in during the course of aborting or attempting to abort the woman's unborn child, or conduct a person engages in under the direction of a federal agency, contractor, or employee to carry out a duty under federal law. The provisions of the measure shall only be enforced by a qui tam action brought by a private citizen. Action may not be brought against a transportation network company (TNC) or a TNC driver for using a transportation network company's digital network to provide a prearranged ride.

The measure provides an affirmative defense to the action if the transporter was unaware the defendant was engaged in the conduct prohibited in the measure or took reasonable precautions to ensure the defendant would not violate the provisions of the measure. The measure also provides that it shall be an affirmative defense if the defendant shows that the imposition of civil liability on the defendant will violate the defendant's rights under federal law or the Oklahoma Constitution. If the petitioner prevails, the measure outlines what the court shall award depending on the defendant. The measure authorizes serving a defendant outside of the state. The measure directs the court to issue a temporary, preliminary, or permanent injunction that restrains each defendant in the action, each person in privity with the defendant, and each person with whom the defendant is in active concert or participation bringing an action under any clawback provision against a claimant or prosecutor. Enforcement of such provisions shall not be carried out by any court in the state unless otherwise required by state or federal law.

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