

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 2012

By: Hamilton

AS INTRODUCED

An Act relating to abortion; amending Section 1, Chapter 11, O.S.L. 2022 (63 O.S. Supp. 2025, Section 1-731.4), which relates to prohibition of abortion; removing certain restriction on prosecution; updating statutory reference; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 1, Chapter 11, O.S.L. 2022 (63 O.S. Supp. 2025, Section 1-731.4), is amended to read as follows:

Section 1-731.4. A. As used in this section:

1. The terms "abortion" and "unborn child" shall have the same meaning as provided by Section 1-730 of ~~Title 63 of the Oklahoma Statutes~~ this title; and

2. "Medical emergency" means a condition which cannot be remedied by delivery of the child in which an abortion is necessary to preserve the life of a pregnant woman whose life is endangered by a physical disorder, physical illness or physical injury including a

1 life-endangering physical condition caused by or arising from the
2 pregnancy itself.

3 B. 1. Notwithstanding any other provision of law, a person
4 shall not purposely perform or attempt to perform an abortion except
5 to save the life of a pregnant woman in a medical emergency.

6 2. A person convicted of performing or attempting to perform an
7 abortion shall be guilty of a felony punishable by a fine not to
8 exceed One Hundred Thousand Dollars (\$100,000.00), or by confinement
9 in the custody of the Department of Corrections for a term not to
10 exceed ten (10) years, or by such fine and imprisonment.

11 3. This section does not~~+~~

12 ~~a. authorize the charging or conviction of a woman with~~
13 ~~any criminal offense in the death of her own unborn~~
14 ~~child, or~~

15 ~~b.~~ prohibit the sale, use, prescription or administration
16 of a contraceptive measure, drug or chemical if the
17 contraceptive measure, drug or chemical is
18 administered before the time when a pregnancy could be
19 determined through conventional medical testing and if
20 the contraceptive measure, drug or chemical is sold,
21 used, prescribed or administered in accordance with
22 manufacturer instructions.

23 4. It is an affirmative defense to prosecution under this
24 section if a licensed physician provides medical treatment to a
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1 pregnant woman which results in the accidental or unintentional
2 injury or death to the unborn child.

3 SECTION 2. It being immediately necessary for the preservation
4 of the public peace, health or safety, an emergency is hereby
5 declared to exist, by reason whereof this act shall take effect and
6 be in full force from and after its passage and approval.

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