

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3013

By: Crosswhite Hader, Olsen,
and **Talley**

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8
9 COMMITTEE SUBSTITUTE

10 An Act relating to abortion-inducing drugs; defining
11 terms; prohibiting trafficking of certain drugs;
12 providing for felony; providing exceptions; providing
13 for codification; and providing an effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 1-756.30 of Title 63, unless
18 there is created a duplication in numbering, reads as follows:

19 A. As used in this act:

20 1. "Abortion" means the use or prescription of any instrument,
21 medicine, drug, or any other substance or device intentionally to
22 terminate the pregnancy of a female known to be pregnant with an
23 intention other than to increase the probability of a live birth, to
24 preserve the life or health of the child after live birth, to remove

1 an ectopic pregnancy, or to remove a dead unborn child who died as
2 the result of a spontaneous miscarriage, accidental trauma, or a
3 criminal assault on the pregnant female or her unborn child;

4 2. "Abortion-inducing drug" means a medicine, drug, or any
5 other substance prescribed or dispensed with the intent of inducing
6 an abortion. This includes off-label use of drugs known to have
7 abortion-inducing properties, which are prescribed specifically with
8 the intent of causing an abortion, such as misoprostol (Cytotec) and
9 methotrexate. This definition does not apply to drugs that may be
10 known to cause an abortion but which are prescribed for other
11 medical indications, such as chemotherapeutic agents or diagnostic
12 drugs, or for treatment of an ectopic pregnancy or spontaneous
13 miscarriage;

14 3. "Trafficking" means the act of buying, selling, or
15 delivering medicine, drugs, or any substance illegally; and

16 4. "Unborn child" means the unborn offspring of human beings
17 from the moment of conception, through pregnancy, and until live
18 birth, including the human conceptus, zygote, morula, blastocyst,
19 embryo, and fetus.

20 B. A person who knows or has reason to know that another person
21 intends to use an abortion-inducing drug to cause an unlawful
22 abortion and who knowingly or intentionally:

23 1. Delivers an abortion-inducing drug to that person; or
24

1 2. Possesses an abortion-inducing drug with the intent to
2 deliver the abortion-inducing drug to that person,
3 commits trafficking in an abortion-inducing drug and is guilty
4 of a felony upon conviction.

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

11 D. This act does not apply to a pharmacist or a manufacturer or
12 distributor of drugs or surgical supplies who lawfully manufactures,
13 possesses, offers, sells, or distributes, in the usual course of
14 that entity's business or profession, any drug, medicine, or
15 instrument intended for any lawful medical purpose.

16 SECTION 2. This act shall become effective November 1, 2024.

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18 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CRIMINAL, dated
19 02/15/2024 - DO PASS, As Amended and Coauthored.
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