

1 ENGROSSED HOUSE  
2 BILL NO. 2441

By: Russ, Crosswhite Hader,  
Smith, Stearman, Olsen,  
West (Kevin), Burns,  
3 Conley, Townley, Grego,  
4 Boles, Fetgatter, Lepak,  
Stark, Gann, Dills,  
5 Steagall, McDugle and Roe  
of the House

6 and

7 Daniels of the Senate  
8  
9

10 An Act relating to abortion; prohibiting the  
11 performance of an abortion upon a woman without first  
12 determining whether there is a detectable fetal  
13 heartbeat; providing exception; limiting exception;  
14 defining terms; providing penalty; providing for  
15 codification; and providing an effective date.

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

17 SECTION 1. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 1-731.3 of Title 63, unless  
19 there is created a duplication in numbering, reads as follows:

20 A. No person shall perform or induce an abortion upon a  
21 pregnant woman without first detecting whether or not her unborn  
22 child has a heartbeat. No person shall perform or induce an  
23 abortion upon a pregnant woman after such time as her unborn child  
24 has been determined to have a detectable heartbeat except if, in

1 reasonable medical judgment, she has a condition that so complicates  
2 her medical condition that it necessitates the abortion of her  
3 pregnancy to avert her death or to avert serious risk of substantial  
4 and irreversible physical impairment of a major bodily function, not  
5 including psychological or emotional conditions. No such condition  
6 may be determined to exist if it is based on a claim or diagnosis  
7 that the woman will engage in conduct which she intends to result in  
8 her death or in substantial and irreversible physical impairment of  
9 a major bodily function.

10 B. A "detectable heartbeat" shall mean embryonic or fetal  
11 cardiac activity or the steady or repetitive rhythmic contract of  
12 the heart within the gestational sac.

13 C. "Reasonable medical judgment" means a medical judgment that  
14 would be made by a reasonably prudent physician, knowledgeable about  
15 the case and the treatment possibilities with respect to the medical  
16 conditions involved.

17 D. Any person violating subsection A of this section shall be  
18 guilty of homicide.

19 SECTION 2. This act shall become effective November 1, 2021.  
20  
21  
22  
23  
24

1 Passed the House of Representatives the 9th day of March, 2021.

2  
3 \_\_\_\_\_  
4 Presiding Officer of the House  
of Representatives

5 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2021.

6  
7  
8 \_\_\_\_\_  
9 Presiding Officer of the Senate