

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 129

By: Bullard, Hamilton, Woods,
and Burns

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to health care; defining terms;
9 prohibiting certain uses of public funds, public
10 facilities, and public employees; providing for
11 codification; providing an effective date; and
12 declaring an emergency.

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 2607.2 of Title 63, unless there
16 is created a duplication in numbering, reads as follows:

17 A. As used in this section:

- 18 1. a. "Gender transition procedures" means any medical or
19 surgical treatment including but not limited to
20 physician's services, inpatient and outpatient
21 hospital services, or prescribed drugs related to
22 gender transition that seeks to:
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- 1 (1) alter or remove physical or anatomical
- 2 characteristics or features that are typical for
- 3 the individual's biological sex, or
- 4 (2) instill or create physiological or anatomical
- 5 characteristics that resemble a sex different
- 6 from the individual's biological sex, including
- 7 but not limited to medical services that provide
- 8 puberty-blocking drugs, cross-sex hormones, or
- 9 other mechanisms to promote the development of
- 10 feminizing or masculinizing features in the
- 11 opposite biological sex, or genital or nongenital
- 12 gender reassignment surgery performed for the
- 13 purpose of assisting an individual with a gender
- 14 transition.

15 b. Gender transition procedures do not include:

- 16 (1) behavioral health care services or mental health
- 17 counseling,
- 18 (2) medications to treat depression and anxiety,
- 19 (3) medications prescribed, dispensed, or
- 20 administered specifically for the purpose of
- 21 treating precocious puberty or delayed puberty in
- 22 that patient,
- 23 (4) services provided to individuals born with
- 24 ambiguous genitalia, incomplete genitalia, or

1 both male and female anatomy, or biochemically
2 verifiable disorder of sex development (DSD),
3 including but not limited to:

- 4 (a) 46,XX DSD,
- 5 (b) 46,XY DSD,
- 6 (c) sex chromosomes DSDs,
- 7 (d) XX or XY sex reversal, and
- 8 (e) ovotesticular disorder, or

9 (5) the treatment of any infection, injury, disease,
10 or disorder that has been caused by or
11 exacerbated by the performance of gender
12 transition procedures, whether or not the gender
13 transition procedure was performed in accordance
14 with state and federal law;

15 2. "Health care provider" means a physician, physician
16 assistant, Advanced Practice Registered Nurse, or any other person
17 who is licensed, certified, or otherwise authorized by the laws of
18 this state to administer health care in the ordinary course of the
19 practice of his or her profession; and

20 3. "Public funds" means state funds from any source including
21 but not limited to appropriations, apportionments, or revenue
22 generated by state agencies through fines, fees, or any other means.

23 B. Public funds shall not be directly or indirectly used,
24 granted, paid, or distributed to any entity, organization, health

1 care provider, or individual that provides or refers for gender
2 transition procedures.

3 C. Gender transition procedures shall not be provided or
4 referred for in the following situations:

5 1. By or in a health care facility owned by the state or a
6 county or local government; or

7 2. By a health care provider employed by the state or a county
8 or local government.

9 SECTION 2. This act shall become effective July 1, 2023.

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

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