

**FLOOR AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB613 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Kevin West \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

FLOOR SUBSTITUTE  
FOR ENGROSSED

SENATE BILL NO. 613

By: Daniels, Bullard, Jett,  
Burns, Bergstrom, Hamilton,  
Woods, Rogers, Stephens,  
Dahm, and Standridge of the  
Senate

and

Hasenbeck and Hardin of the  
House

FLOOR SUBSTITUTE

An Act relating to public health and safety; defining terms; prohibiting certain health care professionals from performing or attempting to perform gender transition procedures; providing exceptions; prohibiting use of public funds for gender transition procedures; prohibiting certain gender transition procedures; defining certain conduct as unprofessional; requiring revocation of license or certificate; prescribing statute of limitations for disciplinary proceedings; authorizing certain claims or defenses; prescribing statute of limitations; authorizing civil actions by minors; authorizing civil actions after majority; authorizing certain actions without exhaustion of administrative remedies; authorizing attorney fees; authorizing Attorney General to bring enforcement actions; prohibiting state insurance program reimbursements; providing for construction of act; providing for severability; providing for codification; and declaring an emergency.

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

2 SECTION 1. NEW LAW A new section of law to be codified  
3 in the Oklahoma Statutes as Section 2607 of Title 63, unless there  
4 is created a duplication in numbering, reads as follows:

5 A. As used in this act:

6 1. "Biological sex" means the biological indication of male and  
7 female in the context of reproductive potential or capacity, such as  
8 sex chromosomes, naturally occurring sex hormones, gonads, and  
9 nonambiguous internal and external genitalia present at birth,  
10 without regard to an individual's psychological, chosen, or  
11 subjective experience of gender;

12 2. "Gender" means the psychological, behavioral, social, and  
13 cultural aspects of being male or female;

14 3. "Health care professional" means a person who is licensed,  
15 certified, or otherwise authorized by the laws of this state to  
16 administer health care in the ordinary course of the practice of his  
17 or her profession;

18 4. "Physician" means a person who is licensed in this state to  
19 practice medicine; and

20 5. "Public funds" means state, county, or local government  
21 monies, in addition to any department, agency, or instrumentality  
22 authorized or appropriated under state law or derived from any fund  
23 in which such monies are deposited.

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1 B. A physician, mental health professional, or other health  
2 care professional shall not knowingly engage in or cause any of the  
3 following practices to be performed upon any person under eighteen  
4 (18) years of age if the practice is performed for the purpose of  
5 attempting to alter the appearance of or affirm the minor's  
6 perception of his or her gender or biological sex, if that  
7 appearance or perception is inconsistent with the minor's biological  
8 sex as defined in this act:

9 1. Prescribing or administering gonadotropin-releasing hormone  
10 analogues or another synthetic drug used to stop luteinizing hormone  
11 and follicle-stimulating hormone secretion, synthetic antiandrogen  
12 drugs used to block the androgen receptor, or any drug to suppress  
13 or delay normal puberty;

14 2. Prescribing or administering testosterone, estrogen, or  
15 progesterone to a minor in an amount greater than would normally be  
16 produced endogenously in a healthy individual of that individual's  
17 age and biological sex;

18 3. Performing surgeries that sterilize, including castration,  
19 vasectomy, hysterectomy, oophorectomy, orchiectomy, and penectomy;

20 4. Performing surgeries that artificially construct tissue with  
21 the appearance of genitalia that differs from the individual's  
22 biological sex, including metoidioplasty, phalloplasty, and  
23 vaginoplasty; or

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1        5. Removing any healthy or non-diseased body part or tissue for  
2 the purpose of changing the appearance of one's biological sex.

3        C. A physician, mental health professional, or other health  
4 care professional shall not knowingly engage in conduct that aids or  
5 abets the practices described in subsection B of this section to any  
6 person under eighteen (18) years of age. This section may not be  
7 construed to impose liability on any speech or conduct protected by  
8 federal or state law.

9        D. Subsections B and C of this section do not apply to:

10        1. Services to persons born with a medically verifiable  
11 disorder of sex development, including a person with external  
12 biological sex characteristics that are irresolvably ambiguous, such  
13 as those born with 46 XX chromosomes with virilization, 46 XY  
14 chromosomes with under-virilization, or having both ovarian and  
15 testicular tissue;

16        2. Services provided when a physician has otherwise diagnosed a  
17 disorder of sexual development that the physician has determined,  
18 through genetic or biochemical testing, is caused by the person not  
19 having normal sex chromosomes structure, sex steroid hormone  
20 production, or sex steroid hormone action;

21        3. Treatment of any infection, injury, disease, or disorder  
22 that has been caused by or exacerbated by the performance of a  
23 procedure described in subsection B of this section, whether or not  
24 the procedure was performed in accordance with state and federal law

1 or whether or not funding for the procedure is permissible under  
2 this act;

3 4. Any procedure undertaken because the individual suffers from  
4 a physical disorder, physical injury, or physical illness that  
5 would, as certified by a physician, place the individual in imminent  
6 danger of death or impairment of major bodily function unless such  
7 procedure is performed; or

8 5. The six-month period following the effective date of this  
9 act for individuals who are currently being prescribed medication  
10 prohibited pursuant to paragraphs 1 and 2 of subsection B of this  
11 section and the services being provided to them by a physician, or  
12 other health care professional, to help curtail and taper the  
13 hormone- or puberty-blocking medication that has been prescribed to  
14 these individuals.

15 E. It shall be prohibited for any public funds in this state to  
16 be directly or indirectly used, granted, paid, or distributed to any  
17 entity, organization, or individual for the provision of the  
18 services described in subsection B of this section to any minor or  
19 adult. No facility that receives public funds shall allow its staff  
20 or facilities to be used to perform the services described in  
21 subsection B of this section on any minor or adult. Any violation  
22 of this section shall result in the loss of public funding to the  
23 entity, organization, or individual for a minimum of one (1) year  
24 and shall not be reinstated until full compliance with this act.

1 F. 1. Any violation of subsections B or C of this section  
2 shall be considered unprofessional conduct and shall, upon an  
3 adverse ruling by the appropriate licensing board, result in  
4 immediate revocation of the license or certificate of the physician,  
5 mental health professional, or other health care professional for a  
6 period of one (1) year.

7 2. Disciplinary proceedings against the physician, mental  
8 health professional, or health care professional must be commenced  
9 not later than the date as of which the individual upon whom the  
10 services described in subsection B of this section were performed  
11 attains forty-five (45) years of age.

12 3. A person may assert an actual or threatened violation of  
13 this act as a claim or defense in a judicial or administrative  
14 proceeding and obtain compensatory damages, injunctive relief,  
15 declaratory relief, or any other appropriate relief.

16 4. A person shall bring a claim for a violation of this act no  
17 later than the date of which the individual upon whom the services  
18 described in subsection B of this section were performed attains  
19 forty-five (45) years of age.

20 5. An individual under eighteen (18) years of age may bring an  
21 action throughout his or her minority through a parent or next  
22 friend, and may bring an action in his or her own name upon reaching  
23 majority at any time from that point until twenty-seven (27) years  
24 after reaching the age of majority.

1           6. The Attorney General may bring an action to enforce  
2 compliance with this act. Nothing in this act shall be construed to  
3 deny, impair, or otherwise affect any right or authority of the  
4 Attorney General, the state, or any agency, officer, or employee of  
5 the state to institute or intervene in any action or proceeding.

6           7. In any action or proceeding to enforce a provision of this  
7 act, a prevailing party who establishes a violation of this act  
8 shall recover reasonable attorney fees.

9           G. Insurance coverage for the services described in subsections  
10 B and C of this section performed within this state on any minor or  
11 adult shall be prohibited.

12           1. A health benefit plan under an insurance policy or other  
13 plan providing health care coverage in this state shall not include  
14 reimbursement for the services described in subsections B and C of  
15 this section whether performed on a minor or adult.

16           2. A health benefit plan under an insurance policy or other  
17 plan providing health care coverage in this state is not required to  
18 provide coverage for the services described in subsection B of this  
19 section whether performed on a minor or adult.

20           H. To the extent the state or any private party is enjoined  
21 from enforcing any part or application of this act, all other parts  
22 or applications of that subsection and all other subsections are  
23 severable and enforceable. It is the Legislature's intent that any  
24 lawful subsection, application, or part of a subsection remain



1 enforceable no matter the number of subsections, parts of  
2 subsections, or applications deemed unenforceable. Under no  
3 circumstance should a court conclude the Legislature intended that  
4 the state or private party be enjoined from enforcing any  
5 subsection, application, or part of a subsection not deemed  
6 independently unenforceable.

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

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12 59-1-8312 TJ 04/25/23

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