

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 1049

By: Standridge

AS INTRODUCED

An Act relating to health care; creating the Wrongful Life Act; providing short title; prohibiting physician or other health care professional from providing certain services to a minor; prohibiting parent or legal guardian from consenting to certain services; authorizing certain civil actions; specifying who may bring an action; allowing unlimited time period for commencement of an action subject to certain conditions; creating certain rebuttable presumption; providing for dismissal of cause of action under certain condition; authorizing award of certain damages or relief; providing for recovery of court costs and reasonable attorney fees; providing certain construction; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2607.1a of Title 63, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Wrongful Life Act".

1 SECTION 2. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 2607.1b of Title 63, unless
3 there is created a duplication in numbering, reads as follows:

4 A. A physician or other health care professional shall not
5 prescribe to or perform on any individual under eighteen (18) years
6 of age:

7 1. Gender transition surgery;

8 2. Hormone therapy; or

9 3. Puberty-blocking drugs, unless such drugs are medically
10 necessary. For the purpose of this paragraph, a gender transition
11 shall not constitute medical necessity.

12 B. A person may bring an action against a physician or other
13 health care professional who prescribed or performed gender
14 transition surgery, hormone therapy, or puberty-blocking drugs if
15 the gender transition surgery, hormone therapy, or puberty-blocking
16 drugs caused the person to not be able to enjoy the natural
17 reproductivity functions of childbearing and rearing that the person
18 would have enjoyed if not for the gender transition surgery, hormone
19 therapy, or puberty-blocking drugs.

20 C. If the person is under eighteen (18) years of age, he or she
21 may bring an action throughout his or her minority through a parent
22 or legal guardian, and may bring an action in his or her own name
23 upon reaching majority.

1 D. 1. Notwithstanding any other provision of law, there shall
2 be no time limitation for the commencement of an action brought
3 under this section except as provided by this subsection.

4 2. There shall be a rebuttable presumption that the plaintiff,
5 based solely on his or her age, would be capable of bearing children
6 if not for the gender transition surgery, hormone therapy, or
7 puberty-blocking drugs.

8 3. If the presumption described in paragraph 2 of this
9 subsection is successfully rebutted, the court shall dismiss the
10 cause of action.

11 E. A plaintiff who establishes a violation of subsection A of
12 this section and who can show that he or she has suffered harm as
13 described in subsection B of this section may be granted:

14 1. Compensatory damages appropriate to the loss of natural
15 reproductivity functions as described in subsection B of this
16 section;

17 2. Punitive damages; or

18 3. Any other appropriate relief.

19 F. A plaintiff who establishes a violation of subsection A of
20 this section and who can show that he or she has suffered harm as
21 described in subsection B of this section shall recover court costs
22 and reasonable attorney fees.

1 SECTION 3. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 2607.1c of Title 63, unless
3 there is created a duplication in numbering, reads as follows:

4 A. A parent or legal guardian shall not consent, on behalf of
5 any individual under eighteen (18) years of age for whom the parent
6 or legal guardian has the authority to make medical decisions, to
7 the prescription or performance of the following treatments by a
8 physician or other health care professional:

9 1. Gender transition surgery;

10 2. Hormone therapy; or

11 3. Puberty-blocking drugs, unless such drugs are medically
12 necessary. For the purpose of this paragraph, a gender transition
13 shall not constitute medical necessity.

14 B. If a person received gender transition surgery, hormone
15 therapy, or puberty-blocking drugs while such person was under
16 eighteen (18) years of age and if the gender transition surgery,
17 hormone therapy, or puberty-blocking drugs caused the person to not
18 be able to enjoy the natural reproductivity functions of
19 childbearing and rearing that the person would have enjoyed if not
20 for the gender transition surgery, hormone therapy, or puberty-
21 blocking drugs, the person may bring an action against his or her
22 parent or legal guardian who consented to the gender transition
23 surgery, hormone therapy, or puberty-blocking drugs on behalf of the
24 minor.

1 C. If the person is under eighteen (18) years of age, he or she
2 may bring an action:

3 1. Throughout his or her minority through a parent or legal
4 guardian, provided that the parent or legal guardian is not the same
5 parent or legal guardian who consented to the gender transition
6 surgery, hormone therapy, or puberty-blocking drugs on behalf of the
7 minor; and

8 2. In his or her own name upon reaching majority.

9 D. 1. Notwithstanding any other provision of law, there shall
10 be no time limitation for the commencement of an action brought
11 under this section except as provided by this subsection.

12 2. There shall be a rebuttable presumption that the plaintiff,
13 based solely on his or her age, would be capable of bearing children
14 if not for the gender transition surgery, hormone therapy, or
15 puberty-blocking drugs.

16 3. If the presumption described in paragraph 2 of this
17 subsection is successfully rebutted, the court shall dismiss the
18 cause of action.

19 E. A plaintiff who establishes a violation of subsection A of
20 this section and who can show that he or she has suffered harm as
21 described in subsection B of this section may be granted:

22 1. Compensatory damages appropriate to the loss of natural
23 reproductivity functions as described in subsection B of this
24 section;

1 2. Punitive damages; or

2 3. Any other appropriate relief.

3 F. A plaintiff who establishes a violation of subsection A of
4 this section and who can show that he or she has suffered harm as
5 described in subsection B of this section shall recover court costs
6 and reasonable attorney fees.

7 G. In addition to the other remedies provided by this
8 subsection, a parent or legal guardian found to have violated
9 subsection A of this section, in cases where there are potentially
10 grave long-term effects on the child, shall, upon conviction, be
11 guilty of child abuse punishable as provided in Section 843.5 of
12 Title 21 of the Oklahoma Statutes.

13 SECTION 4. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 2607.1d of Title 63, unless
15 there is created a duplication in numbering, reads as follows:

16 The violations, penalties, and remedies provided by this act
17 shall be in addition to those provided by Section 2607.1 of Title 63
18 of the Oklahoma Statutes. This act shall not be construed to
19 supersede, replace, or abrogate any of the provisions of Section
20 2607.1 of Title 63 of the Oklahoma Statutes.

21 SECTION 5. This act shall become effective November 1, 2025.

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