

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1168

By: Crosswhite Hader

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5
6 AS INTRODUCED

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

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

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

15 A. As used in this act:

16 1. "Abortion" means the use or prescription of any instrument,
17 medicine, drug, or any other substance or device intentionally to
18 terminate the pregnancy of a female known to be pregnant with an
19 intention other than to increase the probability of a live birth, to
20 preserve the life or health of the child after live birth, to remove
21 an ectopic pregnancy, or to remove a dead unborn child who died as
22 the result of a spontaneous miscarriage, accidental trauma, or a
23 criminal assault on the pregnant female or her unborn child;

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

11 3. "Preventive contraception" means any drug, chemical,
12 biological product, or device used with the intent to prevent
13 pregnancy and that is used in accordance with manufacturer
14 instructions;

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

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

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

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

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 of a
4 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 E. Nothing in this act may be construed to prohibit the use,
17 sale, prescription, or administration of a preventive contraceptive
18 measure, drug, chemical, or device if the preventive contraceptive
19 measure, drug, chemical, or device is used, sold, prescribed, or
20 administered in accordance with manufacturer instructions.

21 SECTION 2. This act shall become effective November 1, 2025.

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23 60-1-11121 TJ 12/09/24
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