

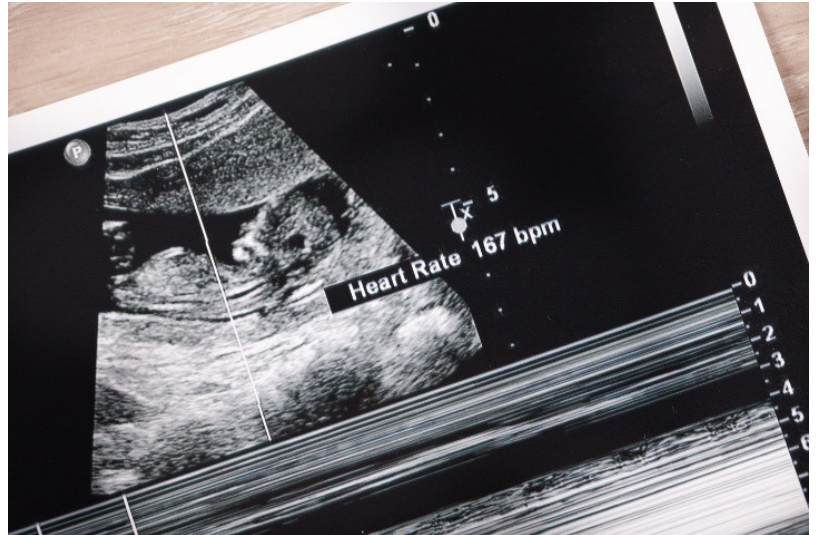


Written by [C. Mitchell Shaw](#) on March 24, 2022

Oklahoma House Passes Bill That Would Be Strongest Pro-life Law in Nation

The Oklahoma House of Representatives passed a bill Tuesday that — if passed in the Senate and signed into law by Republican Governor J. Kevin Stitt — would become the strongest pro-life law in the United States. HB 4327 would ban any doctor in Oklahoma from performing (read: *committing*) an abortion for any reason except to save the mother's life. It also allows for accountability for anyone who assists in an abortion.

Borrowing from the “fetal heartbeat law” passed in Texas last September, [HB 4327](#) leaves enforcement up to “private civil actions.” After defining several terms, the text of the bill states:



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A physician may not knowingly perform or induce an abortion on a pregnant woman, unless such abortion is performed to save the life of the mother.

The bill then states, “This act shall be enforced exclusively through private civil actions,” and lays out the process for that enforcement, saying, “Any person, other than an officer or employee of a state or local governmental entity in this state,” may bring a civil action against any person who “Performs or induces an abortion in violation of this act,” as well as anyone who:

Knowingly engages in conduct that aids or abets the performance or inducement of an abortion, including paying for or reimbursing the costs of an abortion through insurance or otherwise, if the abortion is performed or induced in violation of this act, regardless of whether the person knew or should have known that the abortion would be performed or induced in violation of this act....

And whereas the Texas law bans all abortions after a heartbeat is detected — at around six weeks — the Oklahoma law goes further, banning all abortions except (as noted above) those that are necessary in order to save the life of the mother. The law also allows exceptions in cases of rape and incest, so long as the crime has been reported to law enforcement.

With the Supreme Court having allowed the Texas law to stand, Oklahoma's law — which borrows its enforcement mechanism from the Texas law — appears to be on solid ground. The Supreme Court prepares to issue a decision in June that is expected to set aside *Roe v. Wade*.

HB 4327 passed the House by a vote of 78 to 19 and is expected to easily pass in the Senate. And while Governor Stitt has not commented directly on the bill, he is expected to sign it once it passes in the Senate.



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The passage of HB 4327 would be a real blow to the abortion lobby since, in the wake of the passage of the Texas law, Oklahoma's abortion mills picked up a 2,500-percent increase in business from Texas. As CNN [reported](#):

Planned Parenthood said that the bill is a “grave threat” to abortion access not only in Oklahoma, but across the region.

After Texas's abortion law went into effect, Planned Parenthood clinics in neighboring Oklahoma saw some of the biggest surges in Texas abortion-seekers, according to the organization. Between September 1 and December 31, 2021, abortion patients with Texas ZIP codes made up more than half the total number of patients at Oklahoma Planned Parenthood clinics, in what was a 2,500% increase in Texas traffic to those facilities.

This serves as strong evidence that the Texas law — which is not as strong as the Oklahoma legislation — is working and doing what it was intended to do. But nothing prohibits women who are determined to abort their preborn babies from crossing state lines to do so.

Passage of the Oklahoma legislation would have an exponential effect. Texans could not go to Oklahoma for an abortion and Oklahomans could not go to Texas for an abortion. If that pattern continued to spread, Planned Parenthood's statement that the bill is a “grave threat” to abortion access not only in Oklahoma but across the region would be wonderfully correct.

Republican State Representative Wendi Stearman — who sponsored HB 4327 — [told *The Oklahoman*](#), “House Bill 4327 does not end abortion, but it will induce compliance because no abortion provider will violate it and risk a lawsuit.”

On the heels of the success of the Texas law — which helped spur the Supreme Court to take another (more reasonable) look at *Roe* — several Republican-controlled states besides Oklahoma have introduced similar legislation.

Missouri, Tennessee, Alabama, Louisiana, and Ohio have similar legislation in motion. The bills in Tennessee and Ohio go further than the Texas bill, banning all abortions. Arizona, Florida, Minnesota, and Wisconsin have introduced similar bills, though they are unlikely to pass at this time.

Idaho recently passed similar legislation (copying the Texas bill), but Republican (and ostensibly pro-life) Governor Brad Little [made a statement](#) after signing the bill into law that likely set the stage for it to be overturned when challenged.

It is hopeful that Oklahoma Governor Stitt will stand by his state's legislation, and that other states will follow suit.



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