



Written by [Raven Clabough](#) on March 18, 2020

Oklahoma Senate Passes Bill Barring Abortions if Brainwaves, Heartbeat Detected

The Oklahoma Senate passed a pro-life bill that would ban abortions once a fetal heartbeat or fetal brainwaves are detected. The bill is likely to pass the Republican-controlled Oklahoma House and be signed into law by pro-life Governor Kevin Stitt, a Republican.

“A physician found to be in violation of this section shall be prohibited from obtaining or renewing a license to practice medicine in this state,” the bill, SB 1859, declares. “The State Board of Medical Licensure and Supervision shall revoke the license of a medical doctor who is found to have violated the provision of this section.”



The bill passed the Senate 36-8 and now heads to the House.

“This is a commonsense measure that directs doctors to recognize life just as they do death with the presence or lack of a heartbeat or brainwaves,” said State Senator Paul Scott, R-Duncan, who authored the legislation, the *Purcell Register* reports.

The bill follows the failed Senate Bill 13, which would have classified abortion as a crime without exception, a provision that Senate President Pro Tem Greg Treat said would have been unenforceable.

“The part that I find unenforceable is saying that we’re not going to listen to a federal court, we’re not going to allow state officials go into federal court to defend the law,” Treat said of SB 13.

Treat assured proponents, however, that there were other pro-life bills in the works, including SB 1859, Public Radio Tulsa reports.

SB 1859 virtually prohibits all abortions after six weeks, without exception for rape, incest, or risk to mother’s health — though more than 30,000 doctors declared in a letter published at The Public Discourse that abortions are rarely ever medically necessary to save a mother’s life, particularly once the pregnancy has progressed to the third trimester:

After 20 weeks fertilization age, it is never necessary to intentionally kill the fetal human being in order to save a woman’s life. In cases where the mother’s life actually is in danger in the latter half of pregnancy, there is not time for an abortion, because an abortion typically is a two to three-day process. Instead, immediate delivery is needed in these situations, and can be done in a medically appropriate way (labour induction or C-section) by the woman’s own physician. We can, and do, save the life of the mother through delivery of an intact infant in a hospital where both the mother and her newborn can receive the care that they need. There is no medical reason to intentionally kill that fetal human being through an inhumane abortion procedure, e.g. dismembering a living human being capable of feeling pain, or saline induction which burns off the skin, or feticide with



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subsequent induction.

Planned Parenthood Great Plains Votes spokeswoman Tamya Cox-Toure begrudged the bill's lack of exceptions, as health exceptions are an invaluable tool for pro-abortionists who use them as loopholes to obtain abortions even in the face of the strictest abortion regulations. Life Site News writes,

So-called "health exceptions" are a notorious loophole in light of [Supreme Court precedent](#) requiring they be interpreted to include "emotional, psychological," and "familial" factors, and saving a mother's life at the expense of a child's would still be allowed under even the most stringent abortion bans — losing a baby as an unintended side effect of medical treatment is widely recognized as different from abortion, which is the direct application of lethal force.

SB 1859 stands a good chance of being signed into law by pro-life Governor Kevin Stitt, who made a name for himself earlier this year with an executive order that banned state-funded travel to California, citing the state's intolerance of its pro-life neighbors.

"California and its elected officials over the past few years have banned travel to the State of Oklahoma in an effort to politically threaten and intimidate Oklahomans for their personal values," Stitt declared in a statement. "Enough is enough. If California's elected officials don't want public employees traveling to Oklahoma, I am eager to return the gesture on behalf of Oklahoma's pro-life stance. I am proud to be Governor of a state that fights for the most vulnerable among us, the unborn."

Of course, it is very likely the bill will be challenged in court. Life Site News notes,

Many such heartbeat laws have been passed across the country over the past year. They are generally not intended to immediately take effect, but instead to provoke a legal battle that would hopefully reach the Supreme Court and instigate a review of *Roe v. Wade*, thereby potentially overturning decades of pro-abortion legal precedent and freeing the states to set their own abortion laws.

Other bills being considered by the Oklahoma Senate is the recently passed House Bill 1182, which would require the state's medical licensing boards to revoke physician licenses if they perform an abortion. The measure makes exceptions for a mother's life or health — with specifications that mental health is not a legitimate basis for an abortion — but not for rape or incest. This bill has not yet been scheduled for a Senate committee hearing.

Raven Clabough acquired her bachelor's and master's degrees in English at the University of Albany in upstate New York. She currently lives in Pennsylvania and has been a writer for The New American since 2010.



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