

2021 South Dakota Legislature

House Bill 1248**AMENDMENT 1248G FOR THE HOUSE HEALTH AND HUMAN SERVICES BILL**

1 **An Act to require reports regarding the intentional disposal, destruction, or other**
2 **disposition of human embryos.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1.** That a NEW SECTION be added:

5 **34-14-20.1. Disposition of human embryo--Duty to report.**

6 Any facility that creates or handles a human embryo in this state shall, by January
7 fifteenth of each year, submit a form to the Department of Health indicating:

8 (1) The number of embryos intentionally disposed of or destroyed, in this state, during
9 the preceding calendar year;

10 (2) The number of embryos shipped or transported out of this state, during the
11 preceding calendar year, for their intentional disposal or destruction in another
12 state; and

13 (3) The number of embryos shipped or transported out of this state, during the
14 preceding calendar year, for any purpose.

15 The form required by this section must be provided by the department, ~~must~~
16 ~~provide for the voluntary reporting of categorical reasons for which the embryos were~~
17 ~~disposed of or destroyed and the manner or method by which such occurred,~~ and may not
18 include any personally identifiable information.

19 The department shall make the information required by this section available on
20 the department's website.

21 For purposes of this section, facility means any public or private organization,
22 corporation, partnership, sole proprietorship, association, agency, network, joint venture,
23 or other entity that is involved in medical or scientific research or that, for any purpose,
24 creates or handles human embryos as defined in § 34-14-20, and includes an embryo
25 laboratory, as defined in 42 U.S.C. § 263a-7, on March 1, 2021.

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AMENDMENT