AN ACT

ENTITLED, An Act to prohibit the release of medical waste and to provide a penalty therefor.

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

Section 1. That chapter 34A-6 be amended by adding thereto a NEW SECTION to read as follows:

For purposes of this chapter, medical waste means disposable equipment, instruments, utensils, human tissue, laboratory waste, blood specimens, or other substances that could carry pathogenic organisms but shall exclude household waste including medical waste generated at a private residence.

Section 2. That chapter 34A-6 be amended by adding thereto a NEW SECTION to read as follows:

A person, as defined in subdivision 22-1-2(31), but excluding any natural person is guilty of unlawful release of medical waste if the person with negligence engages in conduct which causes the release of medical waste to a recycling disposal destination. Unlawful release of medical waste is a Class 2 misdemeanor.

Section 3. No hauler or transporter of waste may be prosecuted for unlawful release of medical waste under section 2 of this Act unless the hauler or transporter of waste had actual knowledge that medical waste had been placed in the hauler or transporter's dumpster by another person before the waste was released to the recycling center.

An Act to prohibit the release of medical waste and to provide a penalty therefor.

I certify that the attached Act originated in the

HOUSE as Bill No. 1208

_____
Chief Clerk

_____
Speaker of the House

Attest:

_____
Chief Clerk

_____
President of the Senate

Attest:

_____
Secretary of the Senate

House Bill No. 1208
File No. ____
Chapter No. _____

Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby approved this _____ day of _____ , A.D., 20___

_____
Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____ , 20___
at _____ o'clock __ M.

_____
Secretary of State

By _____
Asst. Secretary of State