



2026 South Dakota Legislature

House Bill 1094

Introduced by: **Representative Garcia**

1 **An Act to clarify that consent for the donation of ovum or sperm must be explicit.**

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

3 **Section 1. That a NEW SECTION be added to chapter 34-26:**

4 An individual's consent to be an organ donor does not constitute consent for the
5 donation or retrieval of the individual's ovum or sperm, unless the individual explicitly
6 consents to the donation or retrieval of ovum or sperm.