



2026 South Dakota Legislature

House Bill 1171

Introduced by: **Representative** Garcia

1 **An Act to establish provisions related to the disclosure of COVID-19 and mRNA**
2 **vaccination status and blood donations.**

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

4 **Section 1. That a NEW SECTION be added to chapter 34-24B:**

5 Any person who collects human blood donations for the purpose of providing blood
6 for human blood transfusion shall require a blood donor to disclose whether the donor has
7 ever received a COVID-19 or mRNA vaccination.

8 If a donor indicates that the donor has received a COVID-19 or mRNA vaccination,
9 the person collecting the blood donation must label the blood bag to conspicuously indicate
10 that the donor has received a COVID-19 or mRNA vaccination.

11 Nothing in this section authorizes the disclosure of the donor's personally
12 identifiable information on the blood bag.

13 **Section 2. That a NEW SECTION be added to chapter 34-24B:**

14 An individual needing a blood transfusion in a nonemergent situation may request
15 blood from a donor who has or has not received a COVID-19 or mRNA vaccination. The
16 health care professional performing the transfusion must use the requested blood, if the
17 blood is available at the health care facility in which the individual is receiving care.

18 No person may deny, restrict, or otherwise interfere with an individual's care,
19 based on the individual's request to receive blood from a donor who has or has not
20 received a COVID-19 or mRNA vaccination.