



2026 South Dakota Legislature

House Bill 1182**HOUSE HEALTH AND HUMAN SERVICES ENGROSSED**

Introduced by: **Representative Jorgenson**

1 **An Act to establish a data collection system pertaining to assisted reproductive**
 2 **technology and to provide a penalty therefor.**

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

4 **Section 1. That a NEW SECTION be added to chapter 1-43:**

5 The Department of Health shall establish and maintain a data collection system for
 6 the purpose of determining, on an annual basis:

7 (1) The number of embryos created through assisted reproductive technology;

8 (2) The number of embryos that are subjected to preimplantation genetic testing for:

9 (a) Aneuploidy;

10 (b) Monogenic disorders; and

11 (c) Structural rearrangements;

12 (3) The number of embryos that are implanted through assisted reproductive
 13 technology;

14 (4) The method of disposition used for embryos that are not implanted during assisted
 15 reproduction, including:

16 (a) Cryopreservation at a facility in this state;

17 (b) Donation to another;

18 (c) Implantation into the uterus of the female for purpose of natural disposition;

19 or

20 (d) Other means;

21 (5) The number of embryos transferred out of this state for the purposes of:

22 (a) Cryopreservation;

23 (b) Donation to another; or

24 (c) Medical research;

25 (6) The number of disposed embryos that were:

26 (a) Accidentally destroyed; or

1 **(b) Deliberately destroyed;**

2 **(7) The number of pregnancies resulting from assisted reproduction; and**

3 **(8) The number of live births resulting from assisted reproduction.**

4 Each entity that participates in assisted reproductive technology in this state shall
5 provide the data required by this section to the Department of Health at the time and in
6 the manner requested by the department.

7 The secretary of the Department of Health may impose a civil penalty against an
8 entity for failing to provide the data required by this section. The amount of the civil
9 penalty may not exceed one thousand dollars. The secretary shall forward any civil penalty
10 collected under this section to the state treasurer, for deposit in the general fund.

11 The department shall compile the information and make the information publicly
12 available on its website on or before July first of each year.