

# State of South Dakota

NINETY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2016

400X0293

## SENATE BILL NO. 24

Introduced by: The Committee on Judiciary at the request of the Office of the Attorney General

1 FOR AN ACT ENTITLED, An Act to prohibit the sale of fetal body parts and to provide a  
2 penalty therefor.

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

4 Section 1. That § 34-23A-17 be amended to read:

5 34-23A-17. ~~An~~ Any tissue, organ, or body part of an unborn or newborn child who has been  
6 subject to an induced abortion, other than an abortion necessary to prevent the death of the  
7 mother ~~or any tissue or organ thereof,~~ may not be used in animal or human research or for  
8 animal or human transplantation. ~~This section may not be construed to preclude~~ Nothing in this  
9 section precludes any therapy intended to directly benefit the unborn or newborn child who has  
10 been subject to the abortion. This section does not prohibit the use for human transplantation  
11 of an unborn child or any tissue or organ thereof if removed in the course of removal of an  
12 ectopic or a molar pregnancy. Any person who knowingly and for consideration provides,  
13 acquires, receives, or otherwise transfers any fetal tissue, organ, or body part in violation of this  
14 section is guilty of a Class 6 felony.

