



2021 South Dakota Legislature

House Bill 1248

Introduced by: **Representative Hansen**

1 **An Act to provide for certain reporting regarding human embryos.**

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

3 **Section 1.** That § 34-14-20 be AMENDED.

4 **34-14-20. Human embryo--Definition.**

5 For purposes of §§ 34-14-16 to ~~34-14-20~~ 34-14-20.1, inclusive, the term, human
6 embryo, means a living organism of the species Homo sapiens, at the earliest stages of
7 development ~~(, including the single-celled stage),~~ that is not located in a woman's body.

8 **Section 2.** That a NEW SECTION be added:

9 **34-14-20.1. Disposition of human embryo--Duty to report.**

10 Any facility that creates or handles a human embryo in this state shall, by January
11 fifteenth of each year, submit a form to the Department of Health indicating:

- 12 (1) The number of embryos created in the preceding calendar year;
13 (2) The number of embryos that were transferred to a woman's womb in the preceding
14 calendar year;
15 (3) (a) The number of embryos that were created in the preceding calendar year
16 and stored, but never transferred to a woman's womb; and
17 (b) The location at which the embryos were stored;
18 (4) (a) The number of embryos in storage on the preceding December thirty-first,
19 regardless of their date of creation; and
20 (b) The location of the storage;
21 (5) (a) The number of embryos transferred during the preceding calendar year to
22 a location other than the facility in which they were created or a woman's womb;
23 (b) The location to which the embryos were transferred; and
24 (c) The purpose for the transfer of the embryos; and
25 (6) (a) The number of embryos disposed of in the preceding calendar year; and

- 1 (b) The reason, by category, for the disposal of the embryos.
2 The form required by this section may not include any personally identifiable
3 information.
4 The department shall make the information required by this section available on
5 the department's website.
6 For purposes of this section, facility means any public or private organization,
7 corporation, partnership, sole proprietorship, association, agency, network, joint venture,
8 or other entity that is involved in medical or scientific research or that, for any purpose,
9 creates or handles human embryos as defined in § 34-14-20.