

Committee Action:
Do Pass _____
Amend & Do Pass _____
Other _____

Senate Committee on Judiciary

This measure may be considered for action during today's work session.

SENATE BILL 309

Makes various changes relating to health care. (BDR 15-498)

Sponsored By: Senators Cannizzaro, Lange, and Spearman, et al.

Date Heard: April 3, 2023

Fiscal Notes: Effect on Local Government: No.

Effect on the State: Yes.

Senate Bill 309 creates the crime of fertility fraud and associated criminal penalties for committing this offense. A health care provider who commits fertility fraud by implanting his or her human reproductive material in a patient without their consent, or who implants human reproductive material in a patient other than that expressly agreed to by a patient, is guilty of a category B felon. A person other than a health care provider, such as an employee of a health care provider, who commits fertility fraud by knowingly conveying false information to a patient is guilty of a category C felony.

The bill also provides for a civil cause of action by a victim and adds fertility fraud to the list of sexual offenses for which a perpetrator must register as a sex offender. Other statutory provisions governing sex offenders are also added in this bill. Finally, the bill provides that a health care facility shall not provide a patient with human reproductive material except in accordance with a written agreement between all concerned parties and provides penalties for violating these provisions including civil penalties and suspension or revocation of a facility's license.

Amendments: None.