

HOUSE BILL 872

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71r2963
CF SB 436

By: **Delegates McComas, Eckardt, Frank, Haddaway, and Kach**

Introduced and read first time: February 9, 2007

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Retrieval of Oocytes – Prohibition**

3 FOR the purpose of authorizing certain persons to donate oocytes subject to certain
4 limitations; prohibiting certain persons from performing oocyte retrieval in
5 order to collect oocytes to be used or donated for certain purposes; providing for
6 certain penalties for offering, soliciting, retrieving, or otherwise encouraging
7 certain persons to donate oocytes; providing that certain violations shall be
8 grounds for the denial of any license, permit, certification, or any other form of
9 permission required to practice certain occupations in the State; defining a
10 certain term; and generally relating to a prohibition against the retrieval of
11 oocytes for research purposes.

12 BY adding to

13 Article – Health – General

14 Section 20–1301 to be under the new subtitle “Subtitle 13. Donation of Oocytes”

15 Annotated Code of Maryland

16 (2005 Replacement Volume and 2006 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Health – General**

20 **SUBTITLE 13. DONATION OF OOCYTES.**

21 **20–1301.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) IN THIS SUBTITLE, "OOCYTE" MEANS THE FEMALE GERM CELL OR**
2 **EGG.**

3 **(B) SUBJECT TO SUBSECTIONS (C) AND (D) OF THIS SECTION, A PERSON**
4 **MAY DONATE OOCYTES.**

5 **(C) A PERSON MAY NOT PERFORM OOCYTE RETRIEVAL IN ORDER TO**
6 **COLLECT OOCYTES TO BE USED OR DONATED FOR RESEARCH PURPOSES.**

7 **(D) A PERSON WHO OFFERS, SOLICITS, RETRIEVES, OR OTHERWISE**
8 **ENCOURAGES A PERSON TO USE OR DONATE OOCYTES FOR RESEARCH**
9 **PURPOSES IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO**
10 **IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING \$200,000**
11 **OR BOTH.**

12 **(E) A VIOLATION OF THIS SECTION SHALL BE GROUNDS FOR THE**
13 **DENIAL OF ANY LICENSE, PERMIT, CERTIFICATION, OR ANY OTHER FORM OF**
14 **PERMISSION REQUIRED TO PRACTICE OR ENGAGE IN ANY TRADE, OCCUPATION,**
15 **OR PROFESSION REGULATED BY THE STATE.**

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2007.