

SENATE BILL 578

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71r1580

By: **Senators Jacobs, DeGrange, Dyson, and Stone**

Introduced and read first time: February 2, 2007

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health – Donations – Oocytes**

3 FOR the purpose of authorizing certain individuals to donate oocytes under certain
4 circumstances; making certain medical histories available to certain children
5 and certain parents or guardians; requiring certain consent for certain
6 donations indicating certain acceptance; prohibiting certain compensation for
7 certain donations; authorizing certain reimbursement for certain expenses
8 related to certain donations; providing for certain penalties for certain
9 compensation of certain persons under certain circumstances; defining a certain
10 term; and generally relating to the donation of oocytes.

11 BY adding to

12 Article – Health – General

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

14 Annotated Code of Maryland

15 (2005 Replacement Volume and 2006 Supplement)

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

18 **Article – Health – General**

19 **SUBTITLE 13. DONATION OF OOCYTES.**

20 **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) **(1) SUBJECT TO SUBSECTIONS (C) AND (D) OF THIS SECTION, AN**
4 **INDIVIDUAL MAY DONATE OOCYTES.**

5 **(2) THE MEDICAL HISTORY OF AN INDIVIDUAL WHO DONATES**
6 **OOCYTES SHALL BE MADE AVAILABLE TO:**

7 **(I) CHILDREN CONCEIVED USING THE DONATED OOCYTES;**
8 **AND**

9 **(II) THE PARENTS OR GUARDIANS OF CHILDREN**
10 **CONCEIVED USING THE DONATED OOCYTES.**

11 (C) **AN INDIVIDUAL WHO DONATES OOCYTES UNDER THIS SECTION**
12 **SHALL PROVIDE WRITTEN CONSENT FOR THE DONATION INDICATING**
13 **ACCEPTANCE OF THE PROVISIONS OF SUBSECTION (B)(2) OF THIS SECTION.**

14 (D) **(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
15 **SUBSECTION, AN INDIVIDUAL WHO DONATES OOCYTES MAY NOT RECEIVE**
16 **COMPENSATION FOR THE DONATION.**

17 **(2) AN INDIVIDUAL WHO DONATES OOCYTES MAY RECEIVE**
18 **REIMBURSEMENT FOR THE DIRECT EXPENSES INCURRED AS A RESULT OF THE**
19 **DONATION PROCEDURE.**

20 (E) **A PERSON WHO OFFERS TO COMPENSATE OR COMPENSATES AN**
21 **INDIVIDUAL TO ENCOURAGE THE DONATION OF OOCYTES IS GUILTY OF A**
22 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT**
23 **EXCEEDING 90 DAYS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.**

24 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
25 **October 1, 2007.**