

HOUSE BILL 482

J1, J3

3lr1255

By: **Delegate Shetty**

Introduced and read first time: January 30, 2023

Assigned to: Health and Government Operations and Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Health – Donor–Conceived Individuals and Gamete Agencies, Gamete Banks,**
3 **and Fertility Clinics**

4 FOR the purpose of establishing data collection, maintenance, and disclosure requirements
5 for gamete agencies, gamete banks, and fertility clinics; requiring a gamete donor to
6 consent to the disclosure of the gamete donor’s identity to an individual of a certain
7 age who was conceived with the donated gametes; requiring the Maryland
8 Department of Health to develop certain written materials for gamete donors and
9 intended recipients of donated gametes or embryos and requiring gamete agencies,
10 gamete banks, and fertility clinics to distribute the materials to donors and
11 recipients; establishing limitations on the number of families that can be established
12 using a single donor; establishing certain requirements for certain gamete donors;
13 requiring a license for gamete agencies, gamete banks, and fertility clinics to operate
14 in the State or match or provide gametes to a recipient in the State; and generally
15 relating to donor–conceived individuals, gamete agencies, gamete banks, and
16 fertility clinics.

17 BY adding to

18 Article – Health – General

19 Section 20–2301 through 20–2309 to be under the new subtitle “Subtitle 23.
20 Donor–Conceived Individuals and Gamete Agencies, Gamete Banks, and
21 Fertility Clinics”

22 Annotated Code of Maryland

23 (2019 Replacement Volume and 2022 Supplement)

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

26 **Article – Health – General**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **SUBTITLE 23. DONOR–CONCEIVED INDIVIDUALS AND GAMETE AGENCIES,**
2 **GAMETE BANKS, AND FERTILITY CLINICS.**

3 **20–2301.**

4 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
5 **INDICATED.**

6 **(B) “ASSISTED REPRODUCTION” MEANS A METHOD OF CAUSING**
7 **PREGNANCY OTHER THAN SEXUAL INTERCOURSE, INCLUDING:**

8 **(1) INTRAUTERINE OR INTRACERVICAL INSEMINATION;**

9 **(2) DONATION OF GAMETES OR EMBRYOS;**

10 **(3) IN VITRO FERTILIZATION AND TRANSFER OF EMBRYOS; AND**

11 **(4) INTRACYTOPLASMIC SPERM INJECTION.**

12 **(C) “DONOR” MEANS AN INDIVIDUAL WHO PRODUCES EGGS OR SPERM**
13 **COLLECTED BY A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC OR WHOSE**
14 **EGGS OR SPERM CREATED AN EMBRYO FOR USE BY A GAMETE AGENCY, GAMETE**
15 **BANK, OR FERTILITY CLINIC IN ASSISTED REPRODUCTION BY A RECIPIENT WHO IS**
16 **UNKNOWN TO THE DONOR AT THE TIME OF DONATION.**

17 **(D) “DONOR–CONCEIVED INDIVIDUAL” MEANS AN INDIVIDUAL OF ANY AGE**
18 **WHO WAS BORN AS THE RESULT OF ASSISTED REPRODUCTION USING GAMETES**
19 **FROM A DONOR UNKNOWN TO THE RECIPIENT PARENT AT THE TIME OF DONATION.**

20 **(E) “FERTILITY CLINIC” MEANS AN ENTITY OR ORGANIZATION THAT**
21 **PERFORMS ASSISTED REPRODUCTION MEDICAL PROCEDURES AND RECEIVES**
22 **DONOR GAMETES:**

23 **(1) FOR A RECIPIENT WHO IS A RESIDENT OF THE STATE OR IS**
24 **LOCATED IN THE STATE; AND**

25 **(2) WHEN THE RECIPIENT AND GAMETE DONOR ARE UNKNOWN TO**
26 **EACH OTHER AT THE TIME OF DONATION.**

27 **(F) “GAMETE” MEANS UNFERTILIZED OOCYTES OR SPERM.**

28 **(G) “GAMETE AGENCY” MEANS AN OOCYTE OR SPERM DONOR MATCHING**
29 **AGENCY THAT MATCHES GAMETE DONORS WITH A RECIPIENT:**

1 (1) WHO IS A RESIDENT OF THE STATE OR IS LOCATED IN THE STATE;
2 AND

3 (2) WHEN THE RECIPIENT OR POTENTIAL RECIPIENTS AND GAMETE
4 DONORS ARE UNKNOWN TO EACH OTHER AT THE TIME OF DONATION.

5 (H) “GAMETE BANK” MEANS AN ENTITY THAT:

6 (1) COLLECTS GAMETES FROM A DONOR OR RECEIVES EMBRYOS; AND

7 (2) PROVIDES GAMETES OR EMBRYOS TO A RECIPIENT OR THE
8 RECIPIENT’S MEDICAL PROVIDER WHEN:

9 (I) THE RECIPIENT IS A RESIDENT OF THE STATE OR IS
10 LOCATED IN THE STATE; AND

11 (II) THE RECIPIENT AND DONOR ARE UNKNOWN TO EACH
12 OTHER AT THE TIME OF DONATION.

13 (I) “IDENTIFYING INFORMATION” MEANS:

14 (1) THE DONOR’S FULL NAME;

15 (2) THE DONOR’S DATE OF BIRTH; AND

16 (3) (I) THE DONOR’S PERMANENT ADDRESS; AND

17 (II) IF DIFFERENT FROM THE DONOR’S PERMANENT ADDRESS:

18 1. THE DONOR’S CURRENT ADDRESS OR OTHER
19 CONTACT INFORMATION AT THE TIME OF THE DONATION; OR

20 2. IF DIFFERENT FROM THE ADDRESS OR OTHER
21 CONTACT INFORMATION DESCRIBED UNDER ITEM 1 OF THIS ITEM, THE DONOR’S
22 CURRENT ADDRESS OR OTHER CONTACT INFORMATION AS RETAINED BY THE
23 GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC.

24 (J) “MATCHES” MEANS THE PROCESS OF MATCHING A DONOR WITH A
25 RECIPIENT WHO IS A RESIDENT OF THE STATE OR IS LOCATED IN THE STATE.

1 **(K) “MEDICAL HISTORY” MEANS INFORMATION REGARDING ANY PRESENT**
2 **OR PAST ILLNESS OF THE DONOR AND ANY SOCIAL, GENETIC, AND FAMILY MEDICAL**
3 **HISTORY RELATED TO THE DONOR’S HEALTH.**

4 **(L) “RECIPIENT” MEANS AN INDIVIDUAL WHO RECEIVES DONOR GAMETES**
5 **OR EMBRYOS AS AN INTENDED PARENT FROM A GAMETE AGENCY, GAMETE BANK, OR**
6 **FERTILITY CLINIC FOR USE IN ASSISTED REPRODUCTION FOR THE PURPOSE OF**
7 **CONCEIVING A CHILD.**

8 **20–2302.**

9 **(A) THIS SECTION APPLIES ONLY TO GAMETES COLLECTED AND EMBRYOS**
10 **FORMED WITH GAMETES COLLECTED ON OR AFTER JANUARY 1, 2026, FOR USE BY A**
11 **RECIPIENT WHO IS UNKNOWN TO THE DONOR AT THE TIME OF THE DONATION.**

12 **(B) (1) THIS SUBSECTION DOES NOT APPLY TO A FERTILITY CLINIC THAT**
13 **COLLECTS GAMETES OR EMBRYOS FROM A DONOR WHO WAS MATCHED BY A GAMETE**
14 **AGENCY THAT IS A SEPARATE ENTITY.**

15 **(2) EACH GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC**
16 **THAT COLLECTS GAMETES FROM A DONOR OR MATCHES A DONOR WITH A RECIPIENT**
17 **SHALL:**

18 **(I) COLLECT THE DONOR’S IDENTIFYING INFORMATION AND**
19 **MEDICAL HISTORY; AND**

20 **(II) REQUEST UPDATED MEDICAL HISTORY AND CONTACT**
21 **INFORMATION FROM THE DONOR AT LEAST ONCE EVERY 3 YEARS.**

22 **(C) (1) EACH GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC**
23 **THAT RECEIVES GAMETES OR EMBRYOS COLLECTED BY A DIFFERENT GAMETE**
24 **AGENCY, GAMETE BANK, OR FERTILITY CLINIC SHALL COLLECT THE NAME,**
25 **ADDRESS, TELEPHONE NUMBER, AND E–MAIL ADDRESS OF THE GAMETE AGENCY,**
26 **GAMETE BANK, OR FERTILITY CLINIC FROM WHICH IT RECEIVES THE GAMETES OR**
27 **EMBRYOS AT THE TIME IT RECEIVES THE GAMETES OR EMBRYOS.**

28 **(2) EACH GAMETE BANK OR FERTILITY CLINIC THAT COLLECTS**
29 **GAMETES FROM A DONOR WHO WAS MATCHED WITH A RECIPIENT BY A GAMETE**
30 **AGENCY THAT IS A SEPARATE ENTITY SHALL COLLECT AND MAINTAIN THE NAME,**
31 **ADDRESS, TELEPHONE NUMBER, AND E–MAIL ADDRESS OF THE GAMETE AGENCY.**

32 **(D) EACH FERTILITY CLINIC THAT COLLECTS GAMETES FROM A DONOR**
33 **WHO WAS MATCHED BY A GAMETE AGENCY THAT IS A SEPARATE ENTITY SHALL**

1 PROVIDE COPIES OF ALL MEDICAL AND SCREENING RECORDS OF THE DONOR,
2 INCLUDING THE RESULTS OF GENETIC TESTING, TO THE GAMETE AGENCY THAT
3 MATCHED THE DONOR.

4 (E) EACH GAMETE AGENCY, GAMETE BANK, AND FERTILITY CLINIC SHALL
5 DISCLOSE THE INFORMATION COLLECTED UNDER THIS SECTION IN ACCORDANCE
6 WITH § 20-2304 OF THIS SUBTITLE.

7 20-2303.

8 (A) (1) THIS SECTION APPLIES ONLY TO GAMETES COLLECTED AND
9 EMBRYOS FORMED WITH GAMETES COLLECTED ON OR AFTER JANUARY 1, 2026, FOR
10 USE BY A RECIPIENT WHO IS UNKNOWN TO THE DONOR AT THE TIME OF THE
11 DONATION.

12 (2) THIS SECTION DOES NOT APPLY TO A GAMETE BANK OR FERTILITY
13 CLINIC THAT COLLECTS GAMETES FROM A DONOR WHO WAS MATCHED WITH A
14 RECIPIENT BY A GAMETE AGENCY THAT IS A SEPARATE ENTITY.

15 (B) (1) EACH GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC
16 THAT MATCHES OR COLLECTS GAMETES FROM A DONOR WHO IS UNKNOWN TO THE
17 RECIPIENT AT THE TIME OF THE DONATION SHALL:

18 (i) PROVIDE THE DONOR WITH INFORMATION ABOUT THE
19 DISCLOSURE OF DONOR IDENTIFYING INFORMATION AND MEDICAL HISTORY IN ITS
20 RECORDS AS REQUIRED UNDER SUBSECTION (C) OF THIS SECTION;

21 (ii) OBTAIN A DECLARATION FROM THE DONOR AGREEING TO
22 THE IDENTITY DISCLOSURE REQUIRED UNDER SUBSECTION (C) OF THIS SECTION;
23 AND

24 (iii) MAINTAIN IDENTIFYING INFORMATION AND MEDICAL
25 HISTORY ABOUT EACH DONOR.

26 (2) THE GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC THAT
27 MATCHED OR COLLECTED THE GAMETES OR EMBRYOS SHALL MAINTAIN RECORDS
28 OF DONOR AND GAMETE SCREENING AND TESTING AND COMPLY WITH ANY RELATED
29 REPORTING REQUIREMENTS:

30 (i) IN ACCORDANCE WITH ANY APPLICABLE FEDERAL AND
31 STATE LAW; AND

1 **(II) IN A MANNER CONSISTENT WITH THE GUIDELINES OF THE**
2 **AMERICAN MEDICAL ASSOCIATION AND THE AMERICAN SOCIETY FOR**
3 **REPRODUCTIVE MEDICINE.**

4 **(C) A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC SHALL HAVE**
5 **EACH DONOR SIGN A DECLARATION, ATTESTED TO BY A NOTARY OR TWO WITNESSES,**
6 **THAT THE DONOR AGREES TO THE DISCLOSURE OF THE DONOR'S IDENTITY TO AN**
7 **INDIVIDUAL CONCEIVED WITH THE DONOR'S GAMETES OR AN EMBRYO FORMED**
8 **WITH THE DONOR'S GAMETES ON REQUEST OF THE DONOR-CONCEIVED INDIVIDUAL**
9 **WHEN THE DONOR-CONCEIVED INDIVIDUAL IS AT LEAST 18 YEARS OLD.**

10 **(D) A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC LOCATED IN**
11 **THE STATE MAY NOT MATCH OR COLLECT GAMETES FROM A DONOR WHO DOES NOT**
12 **AGREE UNDER SUBSECTION (C) OF THIS SECTION TO THE DISCLOSURE OF THE**
13 **DONOR'S IDENTITY.**

14 **20-2304.**

15 **(A) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, THIS**
16 **SECTION APPLIES ONLY TO GAMETES COLLECTED AND EMBRYOS FORMED WITH**
17 **GAMETES COLLECTED ON OR AFTER JANUARY 1, 2026, FOR USE BY A RECIPIENT**
18 **WHO IS UNKNOWN TO THE DONOR AT THE TIME OF THE DONATION.**

19 **(B) (1) THIS SUBSECTION DOES NOT APPLY TO A GAMETE BANK OR**
20 **FERTILITY CLINIC THAT COLLECTS GAMETES FROM A DONOR WHO IS MATCHED**
21 **WITH A RECIPIENT BY A GAMETE AGENCY THAT IS A SEPARATE ENTITY.**

22 **(2) ON THE REQUEST OF A DONOR-CONCEIVED INDIVIDUAL WHO IS**
23 **AT LEAST 18 YEARS OLD, A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC**
24 **THAT MATCHED OR COLLECTED THE GAMETES OR EMBRYOS USED IN THE ASSISTED**
25 **REPRODUCTION OF THE DONOR-CONCEIVED INDIVIDUAL SHALL PROVIDE THE**
26 **DONOR-CONCEIVED INDIVIDUAL WITH THE IDENTIFYING INFORMATION OF THE**
27 **DONOR WHO PROVIDED THE GAMETES OR EMBRYOS.**

28 **(C) A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC MAY NOT**
29 **IMPEDE OR PROHIBIT COMPLIANCE WITH THIS SECTION OR COMMUNICATION**
30 **BETWEEN:**

31 **(1) AN ADULT DONOR-CONCEIVED INDIVIDUAL AND THE DONOR**
32 **WHOSE GAMETES WERE USED TO CONCEIVE THE DONOR-CONCEIVED INDIVIDUAL;**
33 **OR**

1 **(2) AN ADULT DONOR-CONCEIVED INDIVIDUAL AND THE**
2 **INDIVIDUAL'S FRIENDS, FAMILY, OR OTHER THIRD PARTIES ABOUT THE DONOR**
3 **WHOSE GAMETES WERE USED TO CONCEIVE THE DONOR-CONCEIVED INDIVIDUAL.**

4 **(D) (1) THIS SUBSECTION DOES NOT APPLY TO A GAMETE BANK OR**
5 **FERTILITY CLINIC THAT COLLECTS GAMETES FROM A DONOR WHO IS MATCHED**
6 **WITH A RECIPIENT BY A GAMETE AGENCY THAT IS A SEPARATE ENTITY.**

7 **(2) ON THE REQUEST OF A DONOR-CONCEIVED INDIVIDUAL WHO IS**
8 **AT LEAST 18 YEARS OLD OR A PARENT OR GUARDIAN OF A DONOR-CONCEIVED**
9 **INDIVIDUAL IF THE INDIVIDUAL IS A MINOR, A GAMETE AGENCY, GAMETE BANK, OR**
10 **FERTILITY CLINIC THAT MATCHED OR COLLECTED THE GAMETES USED IN THE**
11 **ASSISTED REPRODUCTION, REGARDLESS OF WHETHER THE GAMETE AGENCY,**
12 **GAMETE BANK, OR FERTILITY CLINIC PERFORMED THE ASSISTED REPRODUCTION,**
13 **SHALL PROVIDE THE DONOR-CONCEIVED INDIVIDUAL, OR PARENT OR GUARDIAN OF**
14 **A DONOR-CONCEIVED INDIVIDUAL IF THE INDIVIDUAL IS A MINOR, ACCESS TO ANY**
15 **NONIDENTIFYING MEDICAL HISTORY OF THE DONOR THAT IS MAINTAINED BY THE**
16 **GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC.**

17 **(E) (1) THIS SUBSECTION APPLIES ONLY TO GAMETES OR EMBRYOS**
18 **RECEIVED BY A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC ON OR**
19 **AFTER JULY 1, 2024.**

20 **(2) ON REQUEST OF A DONOR-CONCEIVED INDIVIDUAL WHO IS AT**
21 **LEAST 18 YEARS OLD OR A PARENT OR GUARDIAN OF A DONOR-CONCEIVED**
22 **INDIVIDUAL IF THE INDIVIDUAL IS A MINOR:**

23 **(I) A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC**
24 **THAT RECEIVED THE GAMETES OR EMBRYOS USED IN THE ASSISTED**
25 **REPRODUCTION FROM ANOTHER GAMETE AGENCY, GAMETE BANK, OR FERTILITY**
26 **CLINIC SHALL DISCLOSE THE NAME, ADDRESS, TELEPHONE NUMBER, AND E-MAIL**
27 **ADDRESS OF THE GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC FROM**
28 **WHICH IT RECEIVED THE GAMETES OR EMBRYOS; AND**

29 **(II) A GAMETE BANK OR FERTILITY CLINIC THAT COLLECTED**
30 **GAMETES FROM A DONOR WHO WAS MATCHED WITH A RECIPIENT BY A GAMETE**
31 **AGENCY THAT IS A SEPARATE ENTITY SHALL DISCLOSE THE NAME, ADDRESS,**
32 **TELEPHONE NUMBER, AND E-MAIL ADDRESS OF THE GAMETE AGENCY THAT**
33 **MATCHED THE DONOR AND RECIPIENT.**

34 **20-2305.**

1 **(A) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THIS**
2 **SECTION APPLIES ONLY TO GAMETES COLLECTED AND EMBRYOS FORMED WITH**
3 **GAMETES COLLECTED ON OR AFTER JANUARY 1, 2026, FOR USE BY A RECIPIENT**
4 **WHO IS UNKNOWN TO THE DONOR AT THE TIME OF THE DONATION.**

5 **(B) (1) THIS SUBSECTION DOES NOT APPLY TO A GAMETE BANK OR**
6 **FERTILITY CLINIC THAT COLLECTS GAMETES FROM A DONOR WHO IS MATCHED**
7 **WITH A RECIPIENT BY A GAMETE AGENCY THAT IS A SEPARATE ENTITY.**

8 **(2) EACH GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC**
9 **SHALL PERMANENTLY MAINTAIN:**

10 **(I) IDENTIFYING INFORMATION AND MEDICAL HISTORY FOR**
11 **EACH DONOR WITH WHOM IT MATCHES OR FROM WHOM IT COLLECTS GAMETES FOR**
12 **USE BY A RECIPIENT WHO IS UNKNOWN TO THE DONOR AT THE TIME OF DONATION;**

13 **(II) INFORMATION ABOUT THE NUMBER OF FAMILIES**
14 **ESTABLISHED WITH EACH DONOR'S GAMETES AND THE EFFORTS OF THE GAMETE**
15 **AGENCY, GAMETE BANK, OR FERTILITY CLINIC TO OBTAIN THE INFORMATION**
16 **UNDER § 20-2307 OF THIS SUBTITLE; AND**

17 **(III) RECORDS OF GAMETE SCREENING AND TESTING.**

18 **(C) (1) THIS SUBSECTION APPLIES ONLY TO GAMETES OR EMBRYOS**
19 **MATCHED OR RECEIVED BY A GAMETE AGENCY, GAMETE BANK, OR FERTILITY**
20 **CLINIC ON OR AFTER JULY 1, 2024.**

21 **(2) EACH GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC**
22 **THAT RECEIVES GAMETES OR EMBRYOS FROM ANOTHER GAMETE AGENCY, GAMETE**
23 **BANK, OR FERTILITY CLINIC SHALL PERMANENTLY MAINTAIN THE NAME, ADDRESS,**
24 **TELEPHONE NUMBER, AND E-MAIL ADDRESS OF THE GAMETE AGENCY, GAMETE**
25 **BANK, OR FERTILITY CLINIC FROM WHICH IT RECEIVED THE GAMETES OR EMBRYOS.**

26 **(3) EACH GAMETE BANK OR FERTILITY CLINIC THAT COLLECTED**
27 **GAMETES FROM A DONOR WHO WAS MATCHED WITH A RECIPIENT BY A GAMETE**
28 **AGENCY THAT IS A SEPARATE ENTITY SHALL PERMANENTLY MAINTAIN THE NAME,**
29 **ADDRESS, TELEPHONE NUMBER, AND E-MAIL ADDRESS OF THE GAMETE AGENCY**
30 **THAT MATCHED THE DONOR AND RECIPIENT.**

31 **(D) (1) THIS SUBSECTION DOES NOT APPLY TO A GAMETE BANK OR**
32 **FERTILITY CLINIC THAT COLLECTS GAMETES FROM A DONOR WHO IS MATCHED**
33 **WITH A RECIPIENT BY A GAMETE AGENCY THAT IS A SEPARATE ENTITY.**

1 **(2) IN ITS APPLICATION FOR A LICENSE UNDER § 20–2308 OF THIS**
2 **SUBTITLE, A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC SHALL SUBMIT**
3 **A PROPOSED PLAN TO PERMANENTLY MAINTAIN RECORDS AS REQUIRED UNDER**
4 **SUBSECTIONS (B) AND (C) OF THIS SECTION IN THE EVENT OF DISSOLUTION,**
5 **INSOLVENCY, OR BANKRUPTCY.**

6 **(3) THE PLAN REQUIRED UNDER PARAGRAPH (2) OF THIS**
7 **SUBSECTION MAY INCLUDE:**

8 **(I) IDENTIFICATION OF A NAMED ENTITY TO RECEIVE OR**
9 **MAINTAIN THE RECORDS;**

10 **(II) OBTAINING A SURETY BOND IN FAVOR OF A THIRD PARTY IN**
11 **AN AMOUNT SUFFICIENT TO COVER THE COSTS OF PERMANENT RECORD KEEPING;**
12 **OR**

13 **(III) AN OBLIGATION TO CONDITION ANY SALE OF THE GAMETE**
14 **AGENCY, GAMETE BANK, OR FERTILITY CLINIC ON THE ACQUIRING ENTITY’S**
15 **OBLIGATION TO MAINTAIN THE RECORDS AS REQUIRED UNDER SUBSECTIONS (B)**
16 **AND (C) OF THIS SECTION.**

17 **(4) THE DEPARTMENT MAY NOT ISSUE A LICENSE UNDER § 20–2308**
18 **OF THIS SUBTITLE UNTIL IT APPROVES A PLAN THAT IT DETERMINES IS SUFFICIENT**
19 **TO ENSURE THAT THE RECORDS WILL BE PERMANENTLY MAINTAINED BY A VIABLE**
20 **ENTITY.**

21 **(E) (1) THIS SUBSECTION DOES NOT APPLY TO A GAMETE BANK OR**
22 **FERTILITY CLINIC THAT COLLECTS GAMETES FROM A DONOR WHO IS MATCHED**
23 **WITH A RECIPIENT BY A GAMETE AGENCY THAT IS A SEPARATE ENTITY.**

24 **(2) ON DISSOLUTION, INSOLVENCY, OR BANKRUPTCY, A GAMETE**
25 **AGENCY, GAMETE BANK, OR FERTILITY CLINIC SHALL:**

26 **(I) IMPLEMENT THE PLAN APPROVED BY THE DEPARTMENT**
27 **UNDER SUBSECTION (D) OF THIS SECTION;**

28 **(II) FILE WITH THE DEPARTMENT A STATEMENT PROVIDING**
29 **THE NAME AND CONTACT INFORMATION OF ANY SUCCESSOR ENTITY THAT WILL**
30 **RECEIVE AND MAINTAIN THE RECORDS AS REQUIRED UNDER SUBSECTIONS (B) AND**
31 **(C) OF THIS SECTION; AND**

32 **(III) PROVIDE, BY MAIL AND E–MAIL SENT TO THE LAST KNOWN**
33 **ADDRESSES ON FILE, THE NAME AND CONTACT INFORMATION OF ANY SUCCESSOR**

1 ENTITY THAT WILL RECEIVE AND MAINTAIN THE RECORDS UNDER SUBSECTIONS (B)
2 AND (C) OF THIS SECTION TO:

3 1. ALL GAMETE DONORS WHOSE GAMETES WERE
4 COLLECTED, MATCHED, OR RECEIVED BY THE GAMETE AGENCY, GAMETE BANK, OR
5 FERTILITY CLINIC; AND

6 2. ALL RECIPIENTS WHO RECEIVED GAMETES OR
7 EMBRYOS FROM THE GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC AND
8 REPORTED A SUCCESSFUL PREGNANCY OR LIVE BIRTH.

9 20-2306.

10 (A) IN THIS SECTION, "MENTAL HEALTH PROFESSIONAL" MEANS AN
11 INDIVIDUAL LICENSED AS A PHYSICIAN PRACTICING AS A PSYCHIATRIST, CLINICAL
12 PSYCHOLOGIST, OR PROFESSIONAL COUNSELOR.

13 (B) (1) ON OR BEFORE JANUARY 1, 2026, THE DEPARTMENT SHALL
14 DEVELOP WRITTEN MATERIALS FOR INTENDED RECIPIENTS OF GAMETES OR
15 EMBRYOS FROM A DONOR.

16 (2) THE MATERIALS DEVELOPED UNDER PARAGRAPH (1) OF THIS
17 SUBSECTION SHALL BE DEVELOPED IN COLLABORATION WITH:

18 (I) MENTAL HEALTH PROFESSIONALS WHO HAVE:

19 1. PRIOR DOCUMENTED EXPERIENCE COUNSELING
20 GAMETE DONORS, RECIPIENTS, AND DONOR-CONCEIVED INDIVIDUALS; AND

21 2. EXPERIENCE AND COMPETENCY IN COUNSELING
22 LGBTQ+ PARENTS AND SINGLE PARENTS; AND

23 (II) MEMBERS OF ORGANIZATIONS REPRESENTING
24 INDIVIDUALS LISTED UNDER ITEM (I)2 OF THIS PARAGRAPH.

25 (3) THE MATERIALS DEVELOPED UNDER PARAGRAPH (1) OF THIS
26 SUBSECTION SHALL INCLUDE:

27 (I) THAT, IN LIGHT OF STUDIES SHOWING THAT FAMILY
28 SECRECY ABOUT FAMILY FORMATION CAN NEGATIVELY AFFECT CHILDREN AND
29 FAMILY RELATIONSHIPS, TELLING A DONOR-CONCEIVED CHILD THAT THE CHILD IS
30 DONOR-CONCEIVED IS ASSOCIATED WITH IMPROVED FAMILY FUNCTIONING AND
31 WELL-BEING OF THE DONOR-CONCEIVED CHILD;

1 **(II) 1. THE RIGHT OF A DONOR-CONCEIVED INDIVIDUAL TO**
2 **LEARN THE IDENTITY OF THE DONOR OF THE GAMETES USED IN THE**
3 **DONOR-CONCEIVED INDIVIDUAL'S CONCEPTION;**

4 **2. AVAILABLE TOOLS FOR DISCUSSING THE ABILITY OF**
5 **A DONOR-CONCEIVED INDIVIDUAL TO LEARN THE IDENTITY OF THE DONOR OF THE**
6 **GAMETES USED IN THE DONOR-CONCEIVED INDIVIDUAL'S CONCEPTION; AND**

7 **3. THE IMPORTANCE OF UNDERSTANDING THAT MANY,**
8 **BUT NOT ALL, DONOR-CONCEIVED INDIVIDUALS HAVE A STRONG DESIRE TO KNOW**
9 **THE IDENTITY OF THE DONOR AND OF OTHER DONOR-CONCEIVED INDIVIDUALS**
10 **CONCEIVED WITH THE SAME DONOR'S GAMETES;**

11 **(III) INFORMATION REGARDING THE NEEDS AND INTERESTS OF**
12 **DONOR-CONCEIVED INDIVIDUALS;**

13 **(IV) INFORMATION REGARDING THE LIMITATIONS OF DONOR**
14 **SCREENING;**

15 **(V) INFORMATION REGARDING FUTURE IMPLICATIONS FOR**
16 **THE DONOR-CONCEIVED INDIVIDUAL GIVEN THAT THERE MAY BE OTHER**
17 **INDIVIDUALS IN OTHER FAMILIES CONCEIVED WITH THE SAME DONOR'S GAMETES;**
18 **AND**

19 **(VI) INFORMATION REGARDING FUTURE IMPLICATIONS OF**
20 **RECEIVING MEDICAL HISTORY UPDATES ABOUT THE DONOR OR OTHER**
21 **INDIVIDUALS CONCEIVED WITH THE SAME DONOR'S GAMETES.**

22 **(C) (1) ON OR BEFORE JANUARY 1, 2026, THE DEPARTMENT SHALL**
23 **DEVELOP WRITTEN MATERIALS FOR GAMETE DONORS.**

24 **(2) THE MATERIALS DEVELOPED UNDER PARAGRAPH (1) OF THIS**
25 **SUBSECTION SHALL BE DEVELOPED IN COLLABORATION WITH:**

26 **(i) MENTAL HEALTH PROFESSIONALS WHO HAVE:**

27 **1. PRIOR DOCUMENTED EXPERIENCE COUNSELING**
28 **GAMETE DONORS, RECIPIENTS, AND DONOR-CONCEIVED INDIVIDUALS; AND**

29 **2. EXPERIENCE AND COMPETENCY IN COUNSELING**
30 **LGBTQ+ PARENTS AND SINGLE PARENTS; AND**

1 **(II) MEMBERS OF ORGANIZATIONS REPRESENTING**
2 **INDIVIDUALS LISTED UNDER ITEM (I)2 OF THIS PARAGRAPH.**

3 **(3) THE MATERIALS DEVELOPED UNDER PARAGRAPH (1) OF THIS**
4 **SUBSECTION SHALL INCLUDE THE FOLLOWING INFORMATION REGARDING:**

5 **(I) THE POTENTIAL EMOTIONAL AND SOCIAL IMPACTS OF**
6 **DONATING GAMETES;**

7 **(II) WHAT INFORMATION WILL BE DISCLOSED TO THE**
8 **RECIPIENT AND DONOR-CONCEIVED INDIVIDUALS;**

9 **(III) THE POTENTIAL FOR THE BIRTH OF CHILDREN IN**
10 **MULTIPLE FAMILIES USING THE DONOR'S GAMETES; AND**

11 **(IV) THE FUTURE POTENTIAL DISCLOSURE OF THE DONOR'S**
12 **IDENTIFYING INFORMATION TO AN INDIVIDUAL CONCEIVED WITH THE DONOR'S**
13 **GAMETES.**

14 **(D) (1) A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC**
15 **LOCATED IN THE STATE SHALL:**

16 **(I) BEFORE AN INTENDED RECIPIENT IS MATCHED WITH OR**
17 **RECEIVES GAMETES OR EMBRYOS FROM A DONOR UNKNOWN TO THE INTENDED**
18 **RECIPIENT THROUGH THE GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC,**
19 **PROVIDE THE WRITTEN MATERIALS DEVELOPED UNDER SUBSECTION (B) OF THIS**
20 **SECTION TO THE INTENDED RECIPIENT; AND**

21 **(II) BEFORE THE DONATION OF GAMETES BY A DONOR**
22 **UNKNOWN TO THE INTENDED RECIPIENT, PROVIDE THE WRITTEN MATERIALS**
23 **DEVELOPED UNDER SUBSECTION (C) OF THIS SECTION TO EACH POTENTIAL DONOR**
24 **OF GAMETES COLLECTED BY THE GAMETE AGENCY, GAMETE BANK, OR FERTILITY**
25 **CLINIC AND DISCUSS THESE MATERIALS WITH THE DONOR.**

26 **(2) A DONOR'S RECEIPT OF THE MATERIALS PROVIDED UNDER**
27 **PARAGRAPH (1)(II) OF THIS SUBSECTION IS INTENDED TO SUPPLEMENT AND NOT**
28 **REPLACE ANY MENTAL HEALTH EVALUATION OF A DONOR REQUIRED BY A GAMETE**
29 **AGENCY, GAMETE BANK, OR FERTILITY CLINIC.**

30 **(E) EACH GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC LOCATED**
31 **OUTSIDE THE STATE THAT MATCHES DONORS OR PROVIDES GAMETES OR EMBRYOS**
32 **TO RECIPIENTS WHO ARE RESIDENTS OF OR LOCATED IN THE STATE SHALL:**

1 **(1) BEFORE AN INTENDED RECIPIENT IS MATCHED WITH OR**
2 **RECEIVES GAMETES OR EMBRYOS FROM A DONOR UNKNOWN TO THE INTENDED**
3 **RECIPIENT, PROVIDE WRITTEN MATERIALS TO THE INTENDED RECIPIENT THAT, AT**
4 **A MINIMUM, ADDRESS THE TOPICS LISTED IN SUBSECTION (B) OF THIS SECTION; AND**

5 **(2) BEFORE THE DONATION OF GAMETES BY A DONOR UNKNOWN TO**
6 **THE INTENDED RECIPIENT, PROVIDE WRITTEN MATERIALS TO THE DONOR THAT, AT**
7 **A MINIMUM, COVER THE TOPICS DESCRIBED IN SUBSECTION (C) OF THIS SECTION**
8 **AND DISCUSS THESE MATERIALS WITH THE DONOR.**

9 **20–2307.**

10 **(A) THIS SECTION APPLIES ONLY TO GAMETES MATCHED OR COLLECTED ON**
11 **OR AFTER JANUARY 1, 2026, FOR USE BY A RECIPIENT WHO IS UNKNOWN TO THE**
12 **DONOR AT THE TIME OF THE DONATION.**

13 **(B) (1) THIS SUBSECTION DOES NOT APPLY TO A GAMETE BANK OR**
14 **FERTILITY CLINIC THAT COLLECTS GAMETES FROM A DONOR WHO IS MATCHED**
15 **WITH A RECIPIENT BY A GAMETE AGENCY THAT IS A SEPARATE ENTITY.**

16 **(2) EACH GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC**
17 **SHALL MAKE A GOOD FAITH EFFORT TO DETERMINE HOW MANY FAMILIES ARE**
18 **ESTABLISHED WITH GAMETES MATCHED OR PROVIDED BY THE GAMETE AGENCY,**
19 **GAMETE BANK, OR FERTILITY CLINIC FROM EACH DONOR BY:**

20 **(i) CONDUCTING SUFFICIENT RECORD KEEPING;**

21 **(ii) REQUIRING RECIPIENTS, AS A CONDITION OF RECEIVING**
22 **DONOR GAMETES, TO PROVIDE INFORMATION ON LIVE BIRTHS;**

23 **(iii) REQUESTING INFORMATION FROM RECIPIENTS ON LIVE**
24 **BIRTHS; AND**

25 **(iv) USING INDUSTRY BEST PRACTICES, INCLUDING METHODS**
26 **OR PROCESSES TO ACCOUNT FOR THE NUMBER OR PERCENTAGE OF LIVE BIRTHS**
27 **THAT ARE LIKELY NOT REPORTED, SUCH AS THE CORRELATION BETWEEN THE**
28 **NUMBER OF UNITS OF DONOR GAMETES SOLD OR RELEASED AND THE RESULTING**
29 **LIVE BIRTHS.**

30 **(C) (1) THIS SUBSECTION DOES NOT APPLY TO A GAMETE BANK OR**
31 **FERTILITY CLINIC THAT COLLECTS GAMETES FROM A DONOR WHO IS MATCHED**
32 **WITH A RECIPIENT BY A GAMETE AGENCY THAT IS A SEPARATE ENTITY.**

1 **(2) A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC MAY**
2 **NOT MATCH OR PROVIDE GAMETES FROM A DONOR TO ADDITIONAL FAMILIES ONCE**
3 **THE GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC HAS RECORD OF OR**
4 **SHOULD REASONABLY KNOW THAT 25 FAMILIES HAVE BEEN ESTABLISHED USING A**
5 **SINGLE DONOR’S GAMETES IN OR OUTSIDE THE STATE.**

6 **(3) THE LIMITATION UNDER PARAGRAPH (2) OF THIS SUBSECTION**
7 **DOES NOT INCLUDE:**

8 **(I) MULTIPLE CHILDREN CONCEIVED BY THE SAME FAMILY,**
9 **UNLESS THE DONOR REQUESTS AND THE GAMETE AGENCY, GAMETE BANK, OR**
10 **FERTILITY CLINIC AGREES TO A LOWER LIMIT ON THE NUMBER OF FAMILIES;**

11 **(II) ANY CHILDREN CONCEIVED BY THE DONOR AS A PARENT OR**
12 **CHILDREN CONCEIVED WITH THE DONOR’S GAMETES WHEN THE DONOR IS KNOWN**
13 **TO THE RECIPIENT AT THE TIME OF THE DONATION; OR**

14 **(III) DONATION OF EMBRYOS FROM ONE FAMILY TO ANOTHER**
15 **FAMILY.**

16 **(4) (I) FOR PURPOSES OF THIS SUBSECTION, A FAMILY IS**
17 **CONSIDERED ESTABLISHED WHEN A RECIPIENT CONCEIVES A CHILD USING**
18 **GAMETES FROM A DONOR AND A LIVE BIRTH RESULTS OR LIKELY RESULTED.**

19 **(II) EACH GAMETE AGENCY, GAMETE BANK, OR FERTILITY**
20 **CLINIC SHALL MAKE REASONABLE GOOD FAITH EFFORTS, AND DOCUMENT THE**
21 **EFFORTS, TO OBTAIN INFORMATION FROM A RECIPIENT ABOUT WHETHER AND**
22 **WHEN A LIVE BIRTH HAS OCCURRED, INCLUDING REQUESTING THE INFORMATION**
23 **FROM A RECIPIENT’S MEDICAL PROVIDER USING MULTIPLE COMMERCIALY**
24 **REASONABLE EFFORTS.**

25 **(D) (1) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, ON**
26 **OR BEFORE JANUARY 1, 2026, THE DEPARTMENT SHALL ADOPT REGULATIONS**
27 **ESTABLISHING A LIMIT ON THE TOTAL NUMBER OF DONOR RETRIEVAL CYCLES PER**
28 **OVUM DONOR.**

29 **(II) THE LIMIT ESTABLISHED UNDER SUBPARAGRAPH (I) OF**
30 **THIS PARAGRAPH MAY NOT EXCEED A LIFETIME LIMIT OF SIX CYCLES PER OVUM**
31 **DONOR.**

32 **(2) THE REGULATIONS ADOPTED UNDER PARAGRAPH (1) OF THIS**
33 **SUBSECTION SHALL BE DEVELOPED IN CONSULTATION WITH THE AMERICAN**

1 SOCIETY OF REPRODUCTIVE MEDICINE AND ORGANIZATIONS REPRESENTING THE
2 INTERESTS OF OVUM DONORS.

3 (3) THE DEPARTMENT MAY CONSIDER AN EXCEPTION TO THE
4 LIMITATION ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR
5 DONORS WHO PROVIDE INFORMED CONSENT TO UNDERGO ADDITIONAL RETRIEVAL
6 CYCLES FOR FAMILIES INTENDING TO CONCEIVE A CHILD USING THE SAME DONOR
7 USED TO CONCEIVE THEIR OTHER CHILD.

8 (E) (1) A DONOR SHALL BE AT LEAST 21 YEARS OF AGE AT THE TIME OF
9 THE COLLECTION OF GAMETES.

10 (2) A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC SHALL
11 VERIFY THE AGE OF THE DONOR AT THE TIME OF THE COLLECTION OF THE
12 GAMETES.

13 20-2308.

14 (A) (1) ON OR AFTER JANUARY 1, 2026, A GAMETE AGENCY, GAMETE
15 BANK, OR FERTILITY CLINIC MAY NOT OPERATE AS A GAMETE AGENCY, GAMETE
16 BANK, OR FERTILITY CLINIC IN THE STATE, OR MATCH OR PROVIDE GAMETES OR
17 EMBRYOS TO RECIPIENTS IN THE STATE, UNLESS THE DEPARTMENT HAS GRANTED
18 THE GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC A LICENSE TO OPERATE
19 IN THE STATE.

20 (2) THE DEPARTMENT SHALL ISSUE A LICENSE TO AN APPLICANT
21 THAT MEETS THE REQUIREMENTS OF THIS SUBTITLE AND ALL APPLICABLE
22 REGULATIONS ADOPTED BY THE DEPARTMENT.

23 (B) (1) A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC SHALL
24 SUBMIT AN ANNUAL APPLICATION AND FEE FOR A LICENSE IN THE FORM AND
25 MANNER REQUIRED BY THE DEPARTMENT.

26 (2) ON OR BEFORE JANUARY 1, 2026, THE DEPARTMENT SHALL
27 ADOPT REGULATIONS ESTABLISHING A SCHEDULE OF LICENSURE AND OTHER FEES
28 NOT TO EXCEED A TOTAL OF \$500 PER YEAR TO MEET THE DIRECT AND INDIRECT
29 COSTS OF ADMINISTRATION AND ENFORCEMENT OF THIS SUBTITLE.

30 (3) A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC THAT IS
31 A NONPROFIT ORGANIZATION IS EXEMPT FROM THE FEES REQUIRED UNDER THIS
32 SUBSECTION.

1 **(4) THE DEPARTMENT SHALL ASSESS AND COLLECT, FROM EACH**
2 **GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC, A FEE IN ACCORDANCE**
3 **WITH THE FEE SCHEDULE ESTABLISHED UNDER PARAGRAPH (2) OF THIS**
4 **SUBSECTION.**

5 **(C) (1) THE DEPARTMENT SHALL:**

6 **(I) REVIEW EACH RENEWAL APPLICATION FOR A LICENSE TO**
7 **DETERMINE THE COMPLIANCE OF A LICENSE HOLDER WITH THIS SUBTITLE AND ANY**
8 **REGULATIONS ADOPTED BY THE DEPARTMENT UNDER THIS SUBTITLE; AND**

9 **(II) RECEIVE AND INVESTIGATE COMPLAINTS CONCERNING**
10 **THE COMPLIANCE OF A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC TO**
11 **THE REQUIREMENTS OF THIS SUBTITLE AND ANY REGULATIONS ADOPTED UNDER**
12 **THIS SUBTITLE.**

13 **(2) IF THE DEPARTMENT FINDS A VIOLATION OF THIS SUBTITLE OR**
14 **REGULATIONS ADOPTED UNDER THIS SUBTITLE FROM A REVIEW OR INVESTIGATION**
15 **UNDER PARAGRAPH (1) OF THIS SUBSECTION:**

16 **(I) THE GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC**
17 **SHALL SUBMIT IN WRITING, IN THE FORM REQUIRED BY THE DEPARTMENT, A**
18 **CORRECTIVE ACTION PLAN DETAILING THE MEASURES IT WILL TAKE TO CORRECT**
19 **THE VIOLATIONS FOUND BY THE DEPARTMENT; AND**

20 **(II) THE DEPARTMENT SHALL CONDUCT A FOLLOW-UP REVIEW**
21 **OR INVESTIGATION OF THE GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC**
22 **TO ENSURE IMPLEMENTATION OF THE CORRECTIVE ACTION PLAN.**

23 **(3) WHEN REVIEWING OR INVESTIGATING THE RECORDS OF A**
24 **GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC LOCATED OUTSIDE THE**
25 **STATE, THE DEPARTMENT SHALL INVESTIGATE AND REVIEW ONLY THE RECORDS**
26 **RELATING TO DONORS WHOSE GAMETES OR EMBRYOS WERE MATCHED OR**
27 **PROVIDED TO RECIPIENTS IN THE STATE.**

28 **(4) THE DEPARTMENT:**

29 **(I) MAY NOT RETAIN ANY IDENTIFYING INFORMATION ABOUT**
30 **DONORS, RECIPIENTS, OR DONOR-CONCEIVED INDIVIDUALS; AND**

31 **(II) SHALL KEEP CONFIDENTIAL ALL HEALTH CARE**
32 **INFORMATION OR DOCUMENTS OBTAINED OR VIEWED DURING A REVIEW OR**
33 **INVESTIGATION CONDUCTED UNDER THIS SUBSECTION.**

1 (D) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (E) OF THIS
2 SECTION, A LICENSE ISSUED UNDER SUBSECTION (A) OF THIS SECTION EXPIRES 1
3 YEAR AFTER THE DATE OF ISSUANCE OR RENEWAL.

4 (E) (1) THE DEPARTMENT MAY ISSUE A PROVISIONAL LICENSE TO
5 OPERATE AS A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC TO AN
6 APPLICANT FOR THE PURPOSE OF OPERATING AS A GAMETE AGENCY, GAMETE
7 BANK, OR FERTILITY CLINIC FOR A PERIOD OF 90 DAYS IF THE APPLICANT IS
8 TEMPORARILY UNABLE TO COMPLY WITH THE REQUIREMENTS OF THIS SUBTITLE
9 OR ANY REGULATIONS ADOPTED UNDER THIS SUBTITLE.

10 (2) TO OBTAIN A PROVISIONAL LICENSE UNDER THIS SUBSECTION,
11 THE APPLICANT SHALL SHOW PROOF TO THE DEPARTMENT THAT GOOD FAITH
12 ATTEMPTS ARE BEING MADE TO COMPLY WITH THE REQUIREMENTS OF THIS
13 SUBTITLE AND ANY REGULATIONS ADOPTED UNDER THIS SUBTITLE.

14 (3) THE DEPARTMENT MAY ISSUE A SECOND PROVISIONAL LICENSE
15 TO EFFECTUATE COMPLIANCE IF:

16 (I) THE APPLICANT PAYS THE PROVISIONAL LICENSE FEE; AND

17 (II) THE TERM OF THE PROVISIONAL LICENSE DOES NOT
18 EXCEED 90 DAYS.

19 (4) THE DEPARTMENT MAY NOT ISSUE MORE THAN TWO
20 PROVISIONAL LICENSES TO AN APPLICANT IN THE SAME YEAR.

21 (F) THE DEPARTMENT MAY REVOKE OR REFUSE TO RENEW A LICENSE OF A
22 GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC THAT FAILS TO COMPLY
23 WITH THE REQUIREMENTS OF THIS SUBTITLE AND ANY REGULATIONS ADOPTED
24 UNDER THIS SUBTITLE.

25 (G) (1) A PERSON WHO VIOLATES THIS SUBTITLE IS SUBJECT TO A CIVIL
26 PENALTY IMPOSED BY THE DEPARTMENT UNDER PARAGRAPH (2) OF THIS
27 SUBSECTION.

28 (2) THE DEPARTMENT MAY ASSESS A CIVIL PENALTY OF NOT MORE
29 THAN \$20,000 FOR EACH DAY THE PERSON IS IN VIOLATION OF THIS SUBTITLE.

30 (3) A PENALTY IMPOSED UNDER THIS SUBSECTION ACCRUES FROM
31 THE DATE THE DEPARTMENT FINDS THE PERSON IS IN VIOLATION OF THIS
32 SUBTITLE.

1 **20-2309.**

2 **THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THIS**
3 **SUBTITLE.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2023.