SB159

BGDWQJQ-2

By Senators Melson, Sessions, Hovey, Albritton, Givhan, Weaver, Waggoner, Roberts, Shelnutt, Carnley

RFD: Healthcare

First Read: 27-Feb-24
SB159 Enrolled

A BILL
TO BE ENTITLED
AN ACT

Relating to in vitro fertilization; to provide civil and criminal immunity for death or damage to an embryo to any individual or entity when providing or receiving services related to in vitro fertilization; to provide criminal immunity and damage calculations for death or damage to an embryo against manufacturers of goods used to facilitate the in vitro fertilization process; and to provide retroactive effect.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) Related to in vitro fertilization and notwithstanding any provision of law, including any cause of action provided in Chapter 5 of Title 6, Code of Alabama 1975, no action, suit, or criminal prosecution for the damage to or death of an embryo shall be brought or maintained against any individual or entity when providing or receiving services related to in vitro fertilization.

(b) This section is intended to apply retroactively to any act, omission, or course of services which are not the subject of litigation on the effective date of this act.

Section 2. (a) Related to in vitro fertilization and
notwithstanding any provision of law, including any cause of
action provided in Chapter 5 of Title 6, Code of Alabama 1975,
for the damage to or death of an embryo brought against the
manufacturer of goods used to facilitate the in vitro
fertilization process or the transport of stored embryos,
damages shall be limited to compensatory damages calculated as
the price paid for the impacted in vitro cycle.

(b) Related to in vitro fertilization and
notwithstanding any provision of law, no criminal prosecution
may be brought for the damage to or death of an embryo against
the manufacturer of goods used to facilitate the in vitro
fertilization process or the transport of stored embryos.

(c) This section is remedial in nature and is intended
to apply retroactively.

Section 3. This act shall become effective
immediately.
SB159 Enrolled

President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB159
Senate 29-Feb-24
I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives
Amended and passed: 06-Mar-24

Senate concurred in House amendment 06-Mar-24

By: Senator Melson