

AN ACT

ENTITLED, An Act to prohibit the release of medical waste and to provide a penalty therefor.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 34A-6 be amended by adding thereto a NEW SECTION to read as follows:

For purposes of this chapter, medical waste means disposable equipment, instruments, utensils, human tissue, laboratory waste, blood specimens, or other substances that could carry pathogenic organisms but shall exclude household waste including medical waste generated at a private residence.

Section 2. That chapter 34A-6 be amended by adding thereto a NEW SECTION to read as follows:

A person, as defined in subdivision 22-1-2(31), but excluding any natural person is guilty of unlawful release of medical waste if the person with negligence engages in conduct which causes the release of medical waste to a recycling disposal destination. Unlawful release of medical waste is a Class 2 misdemeanor.

Section 3. No hauler or transporter of waste may be prosecuted for unlawful release of medical waste under section 2 of this Act unless the hauler or transporter of waste had actual knowledge that medical waste had been placed in the hauler or transporter's dumpster by another person before the waste was released to the recycling center.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1208

Chief Clerk

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1208

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State