



House Health Reported Substitute for SB159

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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



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29 notwithstanding any provision of law, including any cause of
30 action provided in Chapter 5 of Title 6, Code of Alabama 1975,
31 for the damage to or death of an embryo brought against the
32 manufacturer of goods used to facilitate the in vitro
33 fertilization process or the transport of stored embryos,
34 damages shall be limited to compensatory damages calculated as
35 the price paid for the impacted in vitro cycle.

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

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

43 Section 3. This act shall become effective
44 immediately.