**South Carolina General Assembly**

125th Session, 2023-2024

**S. 1121**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Matthews, Hutto, Devine, Gustafson, Davis and McLeod

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Introduced in the Senate on February 28, 2024

Currently residing in the Senate Committee on **Judiciary**

Summary: Assistive Reproductive Technologies Protection Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/28/2024 Senate Introduced and read first time ([Senate Journal‑page 10](h:\sj\20240228.docx))

2/28/2024 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 10](h:\sj\20240228.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=1121&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[02/28/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1121_20240228.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE “IN VITRO FERTILIZATION PROTECTION ACT”; AND TO PROVIDE A DEFINITION OF ASSITIVE REPRODUCTIVE TECHNOLOGIES AND PROVIDE PROTECTIONS.

Whereas, this In Vitro Fertilization Act shall refer to all medically accepted assistive reproductive technologies; and

Whereas, this State has an interest in providing protections to all family units seeking to use these medically accepted assistive reproductive technologies; and

Whereas, recognizing the intrinsic value of individuals’ autonomy in family‑building decisions is fundamental to fostering a supportive and inclusive society; and

Whereas, acknowledging the diverse paths to parenthood and the importance of safeguarding individuals’ rights to make informed choices regarding their reproductive journey; and

Whereas, affirming that creating a legal framework which respects and protects the diverse ways individuals choose to create their families is essential for promoting a society that values inclusivity and reproductive freedom. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This act may be cited as the “In Vitro Fertilization Protection Act”.

SECTION 2. Title 44 of the S.C. Code is amended by adding:

CHAPTER 140

Assistive Reproductive Technologies Protection

Section 44‑140‑10. For purposes of this chapter, “Assistive reproductive technologies” means treatments or procedures that involve the handling of human egg, sperm, and embryo outside the body with the intent of facilitating a pregnancy. Assistive reproductive technologies include, but are not limited to, in vitro fertilization, egg, embryo, or sperm cryopreservation, egg or embryo donation, and gestational surrogacy.

Section 44‑140‑20. It is the public policy of this State to protect and promote equitable access to the full range of assistive reproductive technologies. Any undue burden placed on a person seeking to utilize assistive reproductive technologies is a violation of this section.

Section 44‑140‑30. Practitioners of assistive reproductive technologies are not required to preserve eggs, sperm, or a fertilized human embryo outside the human body. However, a patient, after consultation with h practitioner, may choose to preserve eggs, sperm, or a fertilized human embryo outside the human body. If the patient chooses to preserve eggs, sperm, or a fertilized human embryo outside the human body, then the practitioner must provide for appropriate preservation in accordance with generally accepted medical standards.

SECTION 3. Chapter 3, Title 16 of the S.C. Code is amended by adding:

Section 16‑3‑100. Any fertilized human egg or human embryo that exists in any form outside of the uterus of a human body shall not, under any circumstance, be considered an unborn child, a minor child, an unborn person, an unborn fetus, a natural person, or any other term that connotes a human being for any purpose under state law including, but not limited, under any provision of Chapter 3, Title 16 or Chapter 41, Title 44.

SECTION 4. This act takes effect upon approval by the Governor.

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