

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

HB25-1259 be amended as follows:

1 Amend reengrossed bill, page 9, strike line 5 and substitute "(3), (6), and
2 (7)(b) as".

3 Page 9, strike lines 7 through 27.

4 Strike page 10.

5 Page 11, strike lines 1 through 13 and substitute:

6 **"25-57-107. Record keeping - successor record keeper -
7 applicability.** (3) Except as provided in subsection (6) of this section, in
8 its application for a license pursuant to section 25-57-110, a gamete
9 agency, gamete bank, or fertility clinic shall submit a proposed plan to
10 permanently maintain the records described in subsections (1) and (2) of
11 this section in the event of dissolution, insolvency, or bankruptcy. The
12 plan may include identification of a named entity to receive or maintain
13 the records, obtaining a surety bond in favor of a third party in an amount
14 sufficient to cover the costs of permanent record keeping, an obligation
15 to condition any sale on the acquiring entity's obligation to maintain
16 records consistent with this section, or similar methods. The department
17 shall not issue a license pursuant to section 25-57-110 until it approves a
18 plan that it finds sufficient to ensure that the records will be permanently
19 maintained by a viable entity. A GAMETE AGENCY, GAMETE BANK, OR
20 FERTILITY CLINIC SHALL CREATE A PLAN TO PERMANENTLY MAINTAIN THE
21 INFORMATION REQUIRED BY THIS SECTION, INCLUDING IN THE CASE OF
22 DISSOLUTION, INSOLVENCY, OR BANKRUPTCY, AND SHALL MAKE THE PLAN
23 AVAILABLE FOR INSPECTION UPON REQUEST BY THE DEPARTMENT.

24 (6) A gamete bank or fertility clinic that collects gametes from a
25 donor who was matched with a recipient by a gamete agency that is a
26 separate entity is not subject to the requirements of subsection (1), (3), or
27 (4) SUBSECTION (1) OR (3) of this section.

28 (7) (b) ~~Subsections (1), (3), and (4) SUBSECTIONS (1) AND (3) of~~ this section apply only to gametes matched or collected on or after
29 January 1, 2025, for use by a recipient parent or parents who are unknown
30 to the donor at the time of the donation.".

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