

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  
29 this section apply only to gametes matched or collected on or after  
30 January 1, 2025, for use by a recipient parent or parents who are unknown  
31 to the donor at the time of the donation."

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