

House Bill 428

By: Representatives Franklin of the 160<sup>th</sup>, Jones of the 47<sup>th</sup>, Silcox of the 53<sup>rd</sup>, Hilton of the 48<sup>th</sup>, Hong of the 103<sup>rd</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to  
2 general provisions regarding health, so as to codify the right to in vitro fertilization for  
3 individuals; to provide for a definition; to provide for related matters; to provide for  
4 legislative findings; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 The General Assembly finds that:

- 8 (1) Millions of Americans and Georgians have struggled to have children;
- 9 (2) In vitro fertilization is a safe, effective, and legal way to make the dream of having  
10 children possible for many of those individuals;
- 11 (3) Many members of this legislative body have received inquiries from the public  
12 regarding the legal status of this procedure; and
- 13 (4) Such uncertainty needs to be addressed through the codification of the legal right to  
14 in vitro fertilization procedures for individuals in this state.

15 **SECTION 2.**

16 Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general  
17 provisions regarding health, is amended by adding a new Code section to read as follows:

18 "31-1-26.

19 (a) As used in this Code section, the term 'in vitro fertilization' means a type of fertility  
20 treatment in which oocytes are removed from a female's ovary and, in an embryology  
21 laboratory, fertilized with a male's sperm to form an embryo that begins development in  
22 such laboratory and is subsequently transferred to a female's uterus or preserved for future  
23 use.

24 (b) Individuals have the right to obtain in vitro fertilization."

25 **SECTION 3.**

26 All laws and parts of laws in conflict with this Act are repealed.