

The Senate Committee on Health and Human Services offered the following substitute to HB 428:

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 provide that nothing in Georgia law prohibits  
3 or prevents an individual from obtaining in vitro fertilization in this state; to provide for a  
4 definition; to provide for related matters; to provide for legislative findings; to repeal  
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 The General Assembly finds that:

- 9 (1) Millions of Americans and Georgians have struggled to have children;
- 10 (2) In vitro fertilization is a safe, effective, and legal way to make the dream of having  
11 children possible for many of those individuals;
- 12 (3) Many members of this legislative body have received inquiries from the public  
13 regarding the legal status of this procedure; and
- 14 (4) Such uncertainty needs to be addressed through legislation confirming that nothing  
15 in Georgia law prohibits or prevents an individual from obtaining in vitro fertilization in  
16 this state.

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**SECTION 2.**

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

20 "31-1-26.

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

26 (b) Nothing in this Code shall be construed to prohibit or prevent an individual from  
27 obtaining in vitro fertilization in this state."

28

**SECTION 3.**

29 All laws and parts of laws in conflict with this Act are repealed.