1	State of Arkansas	*As Engrossed: H3/27/19*
2	92nd General Assembly	A Bill
3	Regular Session, 2019	HOUSE BILL 1761
4		
5	By: Representatives Crawford, B. Smith, *Cloud, Penzo*	
6	By: Senator Irvin	

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8   **For An Act To Be Entitled**

9   AN ACT TO CREATE THE EGG PROVIDER PROTECTION ACT; AND

10   FOR OTHER PURPOSES.

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12

13   **Subtitle**

14   TO CREATE THE EGG PROVIDER PROTECTION

15   ACT.

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18   BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20   SECTION 1. Arkansas Code Title 20, Chapter 16, is amended to add an

21   additional subchapter to read as follows:

22   Subchapter 20 — Egg Provider Protection Act

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24   20-16-2001. Title.

25   This subchapter shall be known and may be cited as the "Egg Provider

26   Protection Act".

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28   20-16-2002. Definitions.

29   As used in this subchapter:

30   *(1)* "Egg" means the unfertilized gamete or oocyte of

31   a female human being;

32   *(2)* "Egg harvesting" means the extraction of an egg from the

33   reproductive organs of an egg provider for purposes other than the

34   impregnation of the egg provider with those same eggs;

35   *(3)* "Egg provider" means any woman who provides or agrees to

36   provide her eggs for purposes other than her own impregnation with those

1   eggs;
2   (4) "Licensed physician" means any person licensed to practice
3   medicine in this state, including a medical doctor and a doctor of
4   osteopathy; and
5   (5) "Solicitation" means any advertisement, whether written,
6   printed, or spoken, in a newspaper or magazine, on radio, television, or
7   internet, or otherwise published.
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9   20-16-2003. Professional and clinical requirements.
10   (a) A person shall not perform egg harvesting unless:
11   (1) He or she is a licensed physician; and
12   (2) The egg harvesting is performed in a hospital, clinic, or
13 other medical facility that meets the licensing standards for such facilities
14 in this state as determined by the Department of Health.
15   (b) A person or entity that provides compensation for eggs or egg
16 harvesting shall:
17   (1) Compensate for:
18   (A) Any immediate health-related effect or injury; and
19   (B) Economic loss, including economic loss for missed days
20 at work; and
21   (2) Provide a health insurance policy to cover against the
22 development of potential health risks associated with the egg harvesting or
23 egg donation process.
24   (c) Any gratuitous payment to the egg provider shall not exceed an
25 amount typically paid to research subjects for their time and trouble in
26 unrelated medical tests at the facility offering the reimbursement or, if
27 other live-subject medical tests are not conducted at the facility, at other
28 medical facilities in the state.
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30   20-16-2004. Solicitation of egg providers.
31   (a) Solicitation of egg providers shall not include an offer for
32 compensation, financial or otherwise, for eggs or egg harvesting.
33   (b) Any solicitation of an egg provider shall include a summary of any
34 drug or hormone treatments involved in enabling an egg provider to provide
35 eggs or in the process of egg harvesting, the total number of office or other
36 visits that an egg provider will be required to make, and the intended use of

1   the eggs to be harvested.

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3   20-16-2005. Penalties.

4   (a) A person or entity that intentionally or knowingly violates this

5   subchapter is guilty of a Class A misdemeanor.

6   (b) A person or entity that violates this subchapter shall also be

7   civilly fined five hundred dollars ($500), twice the amount of gross

8   pecuniary gain derived from the violation, or, at the discretion of the

9   court, any amount between five hundred dollars ($500) and twice the amount of

10   gross pecuniary gain derived from the violation.

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12   */s/Crawford*

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