



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

AB-556 Misuse of sperm, ova, or embryos: damages. (2021-2022)

SHARE THIS:  

Date Published: 09/17/2021 09:00 PM

Assembly Bill No. 556

CHAPTER 170

An act to add Section 1708.5.6 to the Civil Code, relating to civil law.

[Approved by Governor September 16, 2021. Filed with Secretary of State September 16, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 556, Maienschein. Misuse of sperm, ova, or embryos: damages.

Existing law makes it a felony for anyone to knowingly use sperm, ova, or embryos in assisted reproduction technology for any purpose other than that indicated by the sperm, ova, or embryo provider's signature on a written consent form, and to knowingly implant sperm, ova, or embryos, through the use of assisted reproduction technology, into a recipient who is not the sperm, ova, or embryo provider, without the signed written consent of the sperm, ova, or embryo provider and recipient.

This bill would authorize a private cause of action for damages against a person who misuses sperm, ova, or embryos in violation of those provisions. The bill would specify that a prevailing plaintiff who suffers harm as a result of such a violation may be awarded actual damages or statutory damages of not less than \$50,000, whichever is greater.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1708.5.6 is added to the Civil Code, to read:

1708.5.6. (a) A private cause of action for damages lies against a person who misuses sperm, ova, or embryos in violation of Section 367g of the Penal Code.

(b) A prevailing plaintiff who suffers harm as a result of a violation of Section 367g of the Penal Code may be awarded actual damages or statutory damages of not less than fifty thousand dollars (\$50,000), whichever is greater.