

# State of South Dakota

EIGHTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2013

931U0715

## SENATE HEALTH AND HUMAN SERVICES ENGROSSED NO. **HB 1208** - 02/22/2013

Introduced by: Representatives Mickelson, Carson, Conzet, Craig, Cronin, Duvall, Erickson, Haggar (Don), Hajek, Hansen, Miller, Otten (Herman), Westra, Wick, and Wink and Senators White, Heineman (Phyllis), Krebs, Rhoden, Tidemann, and Vehle

1 FOR AN ACT ENTITLED, An Act to prohibit the release of medical waste and to provide a  
2 penalty therfor.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 34A-6 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 For purposes of this chapter, medical waste means disposable equipment, instruments,  
7 utensils, human tissue, laboratory waste, blood specimens, or other substances that could carry  
8 pathogenic organisms but shall exclude household waste including medical waste generated at  
9 a private residence.

10 Section 2. That chapter 34A-6 be amended by adding thereto a NEW SECTION to read as  
11 follows:

12 A person, as defined in subdivision 21-1-2(31), but excluding any natural person is guilty  
13 of unlawful release of medical waste if the person with negligence engages in conduct which



- 1 causes the release of medical waste to a recycling disposal destination. Unlawful release of
- 2 medical waste is a Class 2 misdemeanor.