

**CHAPTER 49****( SB 12 )**

AN ACT relating to the procurement of human tissue.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 311.1939 is amended to read as follows:

- (1) Except as otherwise provided in subsection ~~(4)~~~~(2)~~ of this section, a person ***shall not,***~~that~~ for valuable consideration, knowingly ***purchase,***~~purchase~~ ***sell, transfer, or offer to purchase, sell, or transfer***~~or sell~~ a part for transplantation or therapy if removal of a part from an individual ***has occurred,*** is intended to occur, ***or*** after the individual's death.
- (2) ***A for-profit entity shall not engage, directly or indirectly, in the procurement, transfer, or distribution of any human eye, cornea, eye tissue, corneal tissue, or portions of eyes.***
- (3) ***A person who knowingly violates any of the provisions in this section*** shall be imprisoned in the penitentiary for not less than one (1) nor more than five (5) years or be fined not more than fifty thousand dollars (\$50,000), or both.
- ~~(4)~~~~(2)~~ ***A nonprofit entity***~~person~~ may charge a reasonable amount for the removal, processing, preservation, quality control, storage, transportation, implantation, or disposal of a part.

**Signed by Governor March 19, 2021.**