



Tennessee Senate

PUBLIC CHAPTER NO. 247

SENATE BILL NO. 449

By Massey, Reeves, Campbell, Haile, Akbari, Briggs, Lamar, Oliver, Yarbrow, Hatcher

Substituted for: House Bill No. 533

By Rudder, Helton-Haynes, Gillespie, Travis, Faison; Mr. Speaker Sexton; Raper, Brooks, Marsh, Burkhart, Butler, White, Chism, Hakeem, Parkinson, Love, Eldridge, Camper, Hemmer

AN ACT to amend Tennessee Code Annotated, Title 63 and Title 68, relative to reproductive health care.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act is known and may be cited as the "Fertility Treatment and Contraceptive Protection Act."

SECTION 2. Tennessee Code Annotated, Title 63, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Contraception" means an action taken to prevent pregnancy, including the use of contraceptives, emergency contraceptives, fertility awareness-based methods, and sterilization procedures;

(2) "Contraceptive" means any device, medication, biological product, or procedure that is intended for use in the prevention of pregnancy, whether specifically intended to prevent pregnancy or for other health needs, and that is legally marketed under the federal Food, Drug, and Cosmetic Act (21 U.S.C. § 301 et seq.) as of July 1, 2025;

(3) "Fertility treatment" includes:

(A) The preservation of human oocytes, sperm, or embryos for later reproductive use;

(B) Artificial insemination, including intravaginal insemination, intracervical insemination, and intrauterine insemination;

(C) Assisted reproductive technology, including in vitro fertilization and other treatments or procedures in which reproductive genetic material, such as oocytes, sperm, fertilized eggs, and embryos, are handled;

(D) Genetic testing of embryos;

(E) Medication prescribed or obtained over-the-counter, as indicated for fertility;

(F) Gamete donation; and

(G) Other information, referrals, treatments, procedures, medications, laboratory testing, technologies, or services relating to fertility;

(4) "Healthcare provider" means an individual who is licensed, certified, registered, or otherwise authorized or permitted by the laws of this state to administer health care in the ordinary course of business in the practicing of a profession; and

(5) "Person" means an individual human being.

(b) Notwithstanding another law, an individual has a right to engage in activities associated with fertility treatment and contraception. The laws of this state do not prohibit an activity associated with fertility treatment or contraception. The law of this state clearly and unambiguously acknowledges the right of a healthcare provider to perform, and the right of a person to receive or use, fertility treatment and contraceptives in this state.

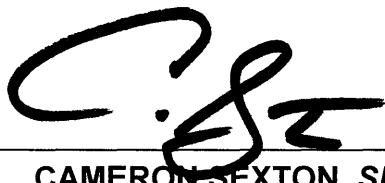
(c) This section does not create an entitlement to fertility treatment or contraception, or to coverage of or funding or reimbursement for fertility treatment or contraception.

SECTION 3. This act takes effect July 1, 2025, the public welfare requiring it.

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PASSED: April 14, 2025


RANDY McNALLY
SPEAKER OF THE SENATE


CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 24th day of April 2025


BILL LEE, GOVERNOR