

ASSISTED REPRODUCTION AND SURROGACY PARENTAGE ACT (EXCERPT)
Act 24 of 2024

722.1804 Parentage of deceased intended parent.

Sec. 204.

(1) If an individual who intends to be a parent of a child conceived by assisted reproduction dies during the period between the transfer of a gamete or embryo and the birth of the child, the individual's death does not preclude the establishment of the individual's parentage of the child if the individual otherwise would be a parent of the child under this act.

(2) If an individual who consented in a record to assisted reproduction by an individual who agreed to give birth to a child dies before a transfer of gametes or embryos, the deceased individual is a parent of a child conceived by the assisted reproduction only if both of the following occurred:

(a) Either the individual consented in a record that if assisted reproduction were to occur after the death of the individual, the individual would be a parent of the child or the individual's intent to be a parent of a child conceived by assisted reproduction after the individual's death is established by clear and convincing evidence.

(b) Either the transfer occurs not later than 36 months after the individual's death or the child's birth occurs not later than 45 months after the individual's death.

History: 2024, Act 24, Eff. Apr. 2, 2025