

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

***** 722.1906.new THIS NEW SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE
2024 REGULAR SESSION SINE DIE *****

722.1906.new Establishment of parent-child relationship under surrogacy agreement.

Sec. 306. (1) Except as otherwise provided in subsection (3) and sections 307(2), 308, and 309, on birth of a child conceived by assisted reproduction under a surrogacy agreement that complies with this part, each intended parent is, by operation of law, a parent of the child.

(2) Except as otherwise provided in subsection (3) and sections 308 and 309, on birth of a child conceived by assisted reproduction under a surrogacy agreement that complies with this part, neither a surrogate nor the surrogate's spouse or former spouse, if any, is a parent of the child.

(3) If a child is alleged to be a genetic child of the individual who agreed to be a gestational surrogate, the court shall order genetic testing of the child. If the child is a genetic child of the individual who agreed to be a gestational surrogate, parentage must be determined based on law of this state other than this act.

(4) Except as otherwise provided in subsection (3) and sections 307(2), 308, and 309, if, because of a clinical or laboratory error, a child conceived by assisted reproduction under a surrogacy agreement is not genetically related to an intended parent or a donor who donated to the intended parent or parents, each intended parent, and not the surrogate and the surrogate's spouse or former spouse, if any, is a parent of the child, subject to any other claim of parentage.

(5) A donor is not a parent of a child conceived by assisted reproduction under a surrogacy agreement.

History: 2024, Act 24, Eff. (sine die).