

Stricken language would be deleted from and underlined language would be added to present law.  
Act 1256 of the Regular Session

State of Arkansas  
90th General Assembly  
Regular Session, 2015

As Engrossed: H3/17/15 S3/31/15

# A Bill

HOUSE BILL 1904

By: Representative Sabin

## For An Act To Be Entitled

AN ACT TO PERMIT A CHILD CONCEIVED THROUGH ASSISTED REPRODUCTION AFTER THE DEATH OF A PARENT TO INHERIT REAL OR PERSONAL PROPERTY OF THE PARENT THAT DIED INTESTATE; AND FOR OTHER PURPOSES.

### Subtitle

TO PERMIT A CHILD CONCEIVED THROUGH ASSISTED REPRODUCTION AFTER THE DEATH OF A PARENT TO INHERIT REAL OR PERSONAL PROPERTY OF THE PARENT THAT DIED INTESTATE.

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

*SECTION 1. Arkansas Code Title 28, Chapter 9, Subchapter 2, is amended to add an additional section to read as follows:*

*28-9-221. Child conceived after death of parent.*

*(a) Notwithstanding the provisions of any law to the contrary, a child conceived after the death of a decedent who specifically authorized the decedent's surviving spouse, in a writing that is either notarized, or witnessed by a licensed physician or a person acting under the supervision of a licensed physician, to use the decedent's gametes after the decedent's death shall be deemed the child of the decedent with the right to inherit from the decedent if the child is conceived within twelve (12) months following the death of the decedent and born within nineteen (19) months following the death of the decedent.*

*(b) This section is retroactive to December 1, 2009, solely for the*



purpose of establishing a posthumous child's entitlement to Social Security benefits under the federal Social Security Act, 42 U.S.C. § 402(d), deriving from the decedent.

/s/Sabin

**APPROVED: 04/08/2015**