

State of Arkansas  
91st General Assembly  
Regular Session, 2017

# A Bill

SENATE BILL 580

By: Senators Elliott, Bond

## For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE PRESUMPTIONS OF PARENTAGE IN CASES OF CHILDREN BORN BY MEANS OF ARTIFICIAL INSEMINATION AND SURROGACY; AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND THE LAW CONCERNING THE PRESUMPTIONS OF PARENTAGE IN CASES OF CHILDREN BORN BY MEANS OF ARTIFICIAL INSEMINATION AND SURROGACY.

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

SECTION 1. Arkansas Code § 9-10-201(a)-(b), concerning presumptions of parentage when a child is born by means of artificial insemination and surrogacy, is amended to read as follows:

(a) ~~Any~~ A child born to a married woman by means of artificial insemination shall be deemed the legitimate natural child of the woman and the woman's ~~husband~~ spouse if the ~~husband~~ spouse consents in writing to the artificial insemination.

(b) A child born by means of artificial insemination to a woman who is married at the time of the birth of the child shall be presumed to be the child of the woman giving birth and the woman's ~~husband~~ spouse except in the case of a surrogate mother, in which event the child shall be that of:

(1) The biological father and ~~the woman intended to be the mother if the biological father is married~~ his spouse;

(2) The biological father only if unmarried; or



(3) The ~~woman~~ person intended to be the ~~mother~~ parent and, if married, his or her spouse in cases of a surrogate mother when an anonymous donor's sperm ~~was~~ is utilized for artificial insemination.

SECTION 2. Arkansas Code § 9-10-201(c)(1), concerning presumptions of parentage when a child is born by means of artificial insemination and surrogacy, is amended to read as follows:

(c)(1) A child born by means of artificial insemination to a woman who is unmarried at the time of the birth of the child shall be, for all legal purposes, the child of the woman giving birth, except in the case of a surrogate mother, in which event the child shall be that of:

(A) The biological father and ~~the woman intended to be the mother if the biological father is married~~ his spouse;

(B) The biological father only if unmarried; or

(C) The ~~woman~~ person intended to be the ~~mother~~ parent and, if married, his or her spouse in cases of a surrogate mother when an anonymous donor's sperm ~~was~~ is utilized for artificial insemination.