

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Rep. Wilkins

HOUSE BILL 1989

"AN ACT TO AMEND ACT 904 OF 1985, TO CLARIFY RESPONSIBILITY
OF PARENTS TO CHILDREN BORN AS A RESULT OF ARTIFICIAL
INSEMINATION; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 1 of Act 904 of 1985, the same being Arkansas Statute 34-720, is hereby amended to read as follows:

"Section 1. Any 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 if the husband consents in writing to the artificial insemination except in the case of a surrogate mother."

SECTION 2. Section 2 of Act 904 of 1985, the same being Arkansas Statute 34-721, is hereby amended to read as follows:

"Section 2. (A) A child born by means of artificial insemination to a woman who is married at the time of the birth of such child, shall be presumed to be the child of the woman giving birth and the woman's husband, except in the case of a surrogate mother, in which event the child shall be that of the biological father and the woman intended to be the mother, if the biological father is married; or the biological father only if unmarried; or, in cases of a surrogate mother when an anonymous donor's sperm was utilized for artificial insemination, the child shall be that of the woman intended to be the mother.

(B) 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 the biological father and of the woman intended to be the mother, if the biological father is married, or the biological father only if unmarried; or, in cases of a surrogate mother when an

anonymous donor's sperm was utilized for artificial insemination, the child shall be that of the woman intended to be the mother.

(C) For birth registration purposes, in cases of surrogate mothers, the woman giving birth shall be presumed to be the natural mother and shall be listed as such on the certificate of birth, but a substituted certificate of birth can be issued upon orders of a court of competent jurisdiction."

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

