

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017

# A Bill

SENATE BILL 580

4  
5 By: Senators Elliott, Bond

## For An Act To Be Entitled

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

## Subtitle

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14 TO AMEND THE LAW CONCERNING THE  
15 PRESUMPTIONS OF PARENTAGE IN CASES OF  
16 CHILDREN BORN BY MEANS OF ARTIFICIAL  
17 INSEMINATION AND SURROGACY.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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

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

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

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

36 (2) The biological father only if unmarried; or



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

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

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

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

14                   (B) The biological father only if unmarried; or

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

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