

State of Arkansas
77th General Assembly
Regular Session, 1989
By: Representative Balton

H.C.R. 1013

HOUSE CONCURRENT RESOLUTION

PROVIDING FOR A STUDY OF SURROGACY IN THIS STATE, AND THE
LAWS IMPLEMENTED BY OTHER STATES CONCERNING SURROGACY AND
SURROGATE CONTRACTS.

WHEREAS, a great amount of legislative interest has arisen since the court decision in the "Baby 'M'" case from the State of New Jersey; and

WHEREAS, several states have enacted legislation prohibiting surrogate motherhood contracts as violative of public policy declaring such to be void and unenforceable; and

WHEREAS, other states have passed legislation which would permit infertile couples to utilize surrogacy under strict requirements and procedures; and

WHEREAS, this is an area where medical technology has created new questions while providing no legal answers to the problems which arise and persist when parties are in conflict over a child; and

WHEREAS, although many states have preceded the State of Arkansas by legislative enactments in this area, due to the controversy and unanswered questions, it is a subject which easily lends itself to cautious and thoughtful study;

NOW THEREFORE,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE SEVENTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS, THE SENATE CONCURRING THEREIN:

THAT the Joint Interim Committee on Public Health, Welfare, and Labor is

hereby directed to appoint a subcommittee of not more than seven of its members to meet on regularly scheduled committee meeting dates to make a study of surrogacy in this state and the laws implemented by other states concerning surrogacy and surrogate contracts, for the purpose of submitting recommendations to the next regular session of the General Assembly for such legislation or other action as may be deemed necessary and appropriate.

BE IT FURTHER RESOLVED:

THAT said committee shall complete its study as provided herein on or before October 1, 1990, and shall file a report of its findings and recommendations, including drafts of proposed legislation, deemed necessary resulting from such study, with the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Arkansas Legislative Council.