

**SENATE BILL No. 302**

By Committee on Public Health and Welfare

1-23

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1 AN ACT concerning surrogate parenting contracts.

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3 *Be it enacted by the Legislature of the State of Kansas:*

4 Section 1. (a) As used in this section:

5 (1) "Artificial insemination" means the process by which a man's  
6 fresh or frozen sperm sample is introduced into a woman's vagina, other  
7 than by sexual intercourse, under the supervision of a person licensed to  
8 practice medicine and surgery.

9 (2) "In vitro fertilization" means a procedure in which an ovum is  
10 surgically removed from a woman's ovary and fertilized with a man's  
11 sperm in a laboratory procedure, with the resulting embryo implanted in  
12 the uterus of a birth mother.

13 (3) "Surrogate parenting contract" means any agreement, oral or  
14 written, in which a woman:

15 (A) Agrees either to be artificially inseminated with the sperm of a  
16 man who is not her husband, or to be impregnated with an embryo that is  
17 the product of an ovum fertilization with the sperm of a man who is not  
18 her husband; and

19 (B) agrees to, or intends to, relinquish all parental rights and  
20 responsibilities and to consent to the adoption of a child born as a result of  
21 artificial insemination or in vitro fertilization as provided in this section.

22 (b) Surrogate parenting contracts are hereby declared to be against  
23 public policy and such contracts shall be void and unenforceable.

24 (c) Any person or entity who or which is involved in, or induces,  
25 arranges or otherwise assists in the formation of a surrogate parenting  
26 contract for a fee, compensation or other remuneration, or otherwise  
27 violates this section, shall be guilty of an unclassified misdemeanor and  
28 upon conviction thereof shall be fined not more than \$10,000 or  
29 imprisoned in the county jail for not more than 1 year, or by both such fine  
30 and imprisonment.

31 Sec. 2. This act shall take effect and be in force from and after its  
32 publication in the statute book.