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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. 3449

February 25, 2008

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The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice

1.1 A bill for an act
1.2 relating to assisted reproduction; changing certain regulations; amending
1.3 Minnesota Statutes 2006, section 257.56.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2006, section 257.56, is amended to read:

1.6 **257.56 ARTIFICIAL INSEMINATION ASSISTED REPRODUCTION.**

1.7 Subdivision 1. **Husband Partner treated as biological father parent; woman**
1.8 **treated as biological mother.** (a) If, under the supervision of a licensed physician and
1.9 with the consent of her ~~husband partner~~, if any, a ~~wife woman~~ is inseminated artificially
1.10 with semen donated by a man not her ~~husband partner~~, the ~~husband partner~~, if any, is
1.11 treated in law as if ~~he the partner~~ were the biological ~~father parent~~ of a child thereby
1.12 conceived. ~~The husband's consent must be in writing and signed by him and his wife.~~

1.13 (b) If, under the supervision of a licensed physician and with the consent of her
1.14 partner, if any, a woman has embryos created with eggs donated by another woman and
1.15 her partner's or a donor's sperm transferred into her uterus for gestation, the woman and
1.16 her partner, if any, are treated in law as if they were the biological parents of a child
1.17 thereby gestated and delivered.

1.18 (c) The woman and her partner, if any, must consent in a writing signed by both the
1.19 partner and the woman that they intend to become the legal parents of the resulting child.
1.20 The consent must be retained by the physician for at least four years after the confirmation
1.21 of a pregnancy that occurs during the process of artificial insemination or embryo transfer.

1.22 (d) All papers and records pertaining to the insemination or embryo transfer, whether
1.23 part of the permanent record of a court or of a file held by the supervising physician or
1.24 elsewhere, are subject to inspection only upon an order of the court for good cause shown.

2.1 Subd. 2. **Donor not treated as biological father parent.** The donor of semen, eggs,
2.2 or embryos provided to a licensed physician for use in ~~artificial insemination of assisted~~
2.3 reproduction for a married woman other than the donor's ~~wife~~ partner is treated in law
2.4 as if ~~he~~ the donor were not the biological father or mother of a child thereby conceived,
2.5 gestated, and delivered.

2.6 Subd. 3. **Effect of noncompliance.** In the event of noncompliance with any of the
2.7 requirements or terms of subdivision 1, a court of competent jurisdiction shall determine
2.8 the respective parental rights and obligations of the parties, including both the intended
2.9 parents and donors, based solely on evidence of the parties' original intent.

2.10 Sec. 2. **EFFECTIVE DATE.**

2.11 Section 1 is effective the day following final enactment and applies to donations
2.12 made before, on, or after the effective date.