

HOUSE BILL 96

D4

0lr1218

By: **Delegate Dumais**

Introduced and read first time: January 13, 2020

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 19, 2020

CHAPTER _____

1 AN ACT concerning

2 **Family Law – Parentage and Adoption – Definitions**

3 ~~FOR the purpose of altering the definitions of “gamete donor” and “mother” for purposes of~~
4 FOR the purpose of altering the definition of “mother” for purposes of certain provisions of
5 law concerning parentage and adoption; and generally relating to parentage and
6 adoption.

7 BY repealing and reenacting, without amendments,
8 Article – Family Law
9 Section 5–1001(a) and (h)
10 Annotated Code of Maryland
11 (2019 Replacement Volume)

12 BY repealing and reenacting, with amendments,
13 Article – Family Law
14 Section ~~5–1001(h)~~ 5–1001(i) ~~and (i)~~
15 Annotated Code of Maryland
16 (2019 Replacement Volume)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18 That the Laws of Maryland read as follows:

19 **Article – Family Law**

20 5–1001.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) In this subtitle the following words have the meanings indicated.

2 (h) (1) "Gamete donor" means an individual who provides, with or without
3 consideration, sperm ~~for~~, an ovum, ~~OR AN EMBRYO~~ intended for use in assisted
4 reproduction.

5 (2) "Gamete donor" does not include the mother of a child conceived by
6 means of assisted reproduction using the mother's ovum.

7 (i) (1) "Mother" means an individual, regardless of gender, who gives birth to
8 a child unless parentage is otherwise established.

9 (2) **"MOTHER" DOES NOT INCLUDE A GAMETE DONOR, UNLESS:**

10 (I) **THE GAMETE DONOR AND THE CHILD'S MOTHER AGREE IN**
11 **WRITING THAT THE GAMETE DONOR WILL BE A PARENT OF THE CHILD; OR**

12 (II) **AT THE TIME OF THE CHILD'S CONCEPTION OR BIRTH, THE**
13 **GAMETE DONOR IS MARRIED TO THE CHILD'S MOTHER.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2020.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.