

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 755

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DATE	D-PG	OFFICIAL STATUS
01/31/2019	227	Introduction and first reading
		Referred to Judiciary and Public Safety Finance and Policy
02/28/2019	594	Author added Clausen

1.1 A bill for an act

1.2 relating to family law; clarifying the parentage of a woman who provides donated

1.3 ova; clarifying rights of spouse to parentage when assisted reproductive technology

1.4 is used; amending Minnesota Statutes 2018, section 257.56.

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

1.6 Section 1. Minnesota Statutes 2018, section 257.56, is amended to read:

1.7 **257.56 ARTIFICIAL INSEMINATION ASSISTED REPRODUCTIVE**

1.8 **TECHNOLOGY.**

1.9 Subdivision 1. ~~Husband~~ Spouse treated as biological father parent. If, under the

1.10 supervision of a licensed physician ~~and with the consent of her husband, a wife is inseminated~~

1.11 ~~artificially with semen donated by a man not her husband, the husband,~~ a woman conceives

1.12 through assisted reproduction, with the consent of her spouse, with semen or ovum or both

1.13 donated by a donor not her spouse, then the spouse of the woman who conceives is treated

1.14 in law as if he were the spouse is the biological father parent of a child thereby conceived.

1.15 The husband's spouse's consent must be in writing and signed by him and his wife the spouse

1.16 and the woman conceiving through assisted reproduction. The consent must be retained by

1.17 the physician for at least four years after the confirmation of a pregnancy that occurs during

1.18 the process of ~~artificial insemination~~ assisted reproductive technology.

1.19 All papers and records pertaining to the ~~insemination~~ assisted reproduction, whether

1.20 part of the permanent record of a court or of a file held by the supervising physician or

1.21 elsewhere, are subject to inspection only upon an order of the court for good cause shown.

1.22 Subd. 2. **Donor not treated as biological father parent.** (a) The donor of semen provided

1.23 to a licensed physician for use in artificial insemination of a ~~married~~ woman other than the

2.1 donor's ~~wife~~ spouse is treated in law as if ~~he~~ the donor were not the biological ~~father~~ parent
2.2 of a child thereby conceived unless the court finds satisfactory evidence that the donor and
2.3 the woman intended for the donor to be a parent.

2.4 (b) The donor of ova for use in assisted reproduction by a woman other than the donor's
2.5 spouse is treated in law as if the donor were not the biological parent of a child thereby
2.6 conceived unless the court finds satisfactory evidence that the woman intended for the donor
2.7 to be a parent.