

On page 4, line 23, of the Introduced bill, delete " title 25" and insert " chapter 25-5A"

On page 4, line 24, of the Introduced bill, delete "Upon the birth of a child, the following rights of parentage vest under a gestational surrogacy arrangement pursuant to this chapter:

(1) An intended parent is the parent of " and insert

On page 4, line 26, of the Introduced bill, delete "the child for purposes of state law;

(2) The child is considered the child of the intended parent for purposes of state law;

(3) Parental rights vest in the intended parent; and

(4) Sole custody, care, and control of the child rest solely with the intended parent.

Neither the gestational carrier nor spouse or partner of the gestational carrier, if any, is the parent of the child for purposes of state law unless a genetic test proves the child is the biological child of the gestational carrier." and insert " The provisions of this chapter and chapter 25-6 are the only means by which the relationship between a birth mother and a child may be voluntarily terminated by an order of the court."

On page 5, line 1, of the Introduced bill, delete " title 25" and insert " chapter 25-6"

On page 5, line 2, of the Introduced bill, delete "A court shall enter an order of parentage if it finds the order is in the best interest of the child, prior to the birth of a child. The orders of parentage immediately vest parental rights and duties in the intended parent. The order must designate the content of the birth record in accordance with section 6 of this Act and direct the South Dakota Department of Health to designate each intended parent as the parent of the child.

A judgment establishing the intended parent's exclusive legal parentage may be established before birth. The judgment has the same effect and is subject to the same procedures, defenses, and proceedings as any other civil judgment.

The petition to establish parentage must state that the parties entered into a valid gestational carrier agreement and a pregnancy or birth has resulted." and insert " The provisions of this chapter and chapter 25-5A are the only means by which the relationship between a birth mother and a child may be voluntarily terminated by an order of the court."