

On page 1, line 12, of the Introduced bill, delete "(5) 'Gamete donor,' an individual who provides one or more human eggs or sperm for use in assisted reproduction;

(6)" and insert "(5)"

On page 1, line 17, of the Introduced bill, delete "(7)" and insert "(6)"

On page 1, line 18, of the Introduced bill, after "between" delete " an"

On page 1, line 18, of the Introduced bill, delete " parent" and insert " parents"

On page 1, line 20, of the Introduced bill, delete "(8)" and insert "(7)"

On page 1, line 23, of the Introduced bill, delete "(9)" and insert "(8)"

On page 1, line 23, of the Introduced bill, delete " parent" and insert " parents"

On page 1, line 23, of the Introduced bill, delete " an individual" and insert " biological parents"

On page 1, line 23, of the Introduced bill, delete " manifests" and insert " manifest"

On page 1, line 23, of the Introduced bill, delete " a parent" and insert " parents"

On page 2, line 1, of the Introduced bill, delete "(10)" and insert "(9)"

On page 2, line 4, of the Introduced bill, delete "(11)" and insert "(10)"

On page 2, line 7, of the Introduced bill, delete "(12)" and insert "(11)"

On page 2, line 23, of the Introduced bill, after "agreement;" delete " and"

On page 2, line 24, of the Introduced bill, after "state" insert "; and"

(7) Adheres to all applicable recommendations of the Practice Committees of the American Society for Reproductive Medicine and the Society for Assisted Reproductive Technology (2017)"

On page 2, line 27, of the Introduced bill, delete " an" and insert " the"

On page 2, line 27, of the Introduced bill, delete " parent" and insert " parents"

On page 2, line 32, of the Introduced bill, after "arrangement;" delete " and"

On page 3, line 3, of the Introduced bill, delete " parent" and insert " parents"

On page 3, line 4, of the Introduced bill, after "agreement" insert "; and"

(5) Adhere to all applicable recommendations of the Practice Committees of the American Society for Reproductive Medicine and the Society for Assisted Reproductive Technology (2017)"

On page 3, line 9, of the Introduced bill, delete " parent" and insert " parents"

On page 3, line 16, of the Introduced bill, delete " parent" and insert " parents"

On page 3, line 23, of the Introduced bill, delete " parent" and insert " parents"

On page 3, line 28, of the Introduced bill, delete " an" and insert " the"

On page 3, line 28, of the Introduced bill, delete " parent" and insert " parents"

On page 4, line 4, of the Introduced bill, delete " parent" and insert " parents"

On page 4, line 18, of the Introduced bill, delete " parent is" and insert " parents are"

On page 4, line 18, of the Introduced bill, delete " parent" and insert " parents"

On page 4, line 18, of the Introduced bill, delete the semicolon and insert a period

On page 4, after line 22, of the Introduced bill, insert: "

**Section 6. That chapter 25-5A be amended with a NEW SECTION:**

A gestational carrier agreement must be validated by the court before an embryo transfer occurs. For legal parentage to be established in the intended parents, as defined in section 1 of this Act, a court must make a finding in its order that parentage is in the best interest of the child."

On page 4, after line 22, of the Introduced bill, insert: "

**Section 7. That a NEW SECTION be added to title 25:**

A gestational carrier agreement must be validated by the court before an embryo transfer occurs. For legal parentage to be established in the intended parents, a court must make a finding in its order that parentage is in the best interest of the child."

On page 4, after line 22, of the Introduced bill, insert: "

**Section 8. That chapter 25-6 be amended with a NEW SECTION:**

A gestational carrier agreement must be validated by the court before an embryo transfer occurs. For legal parentage to be established in the intended parents, as defined in section 1 of this Act, a court must make a finding in its order that parentage is in the best interest of the child."

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."

On page 5, line 12, of the Introduced bill, after "resulted." delete "ection 8. That a NEW SECTION be added to title 25:

"

On page 5, line 13, of the Introduced bill, after "25:" delete "A person who is considered the parent of a child under this chapter is obligated to support the child. A breach of the gestational carrier agreement by an intended parent does not relieve the intended parent of the support obligation imposed by sections 4 and 6 of this Act."

On page 5, line 17, of the Introduced bill, after "Act." delete "Section 9. That a NEW SECTION be added to title 25:

"

On page 5, line 18, of the Introduced bill, after "25:" delete "A gamete donor is not a legal parent if the donor:

(1) Has waived any and all rights to the donated gametes and any resultant embryos or children, in a written record; and

(2) The donation occurs via medical assisted reproduction."