

HOUSE BILL 96

D4

0lr1218

By: **Delegate Dumais**

Introduced and read first time: January 13, 2020

Assigned to: Judiciary

A BILL ENTITLED

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 certain provisions of law concerning parentage and adoption; and generally relating
5 to parentage and adoption.

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

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

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

18 **Article – Family Law**

19 5–1001.

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

21 (h) (1) “Gamete donor” means an individual who provides, with or without
22 consideration, sperm [or], an ovum, **OR AN EMBRYO** intended for use in assisted
23 reproduction.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

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