

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **724**

02/04/2019 Authored by Cantrell, Morrison, Acomb, Edelson, Freiberg and others
The bill was read for the first time and referred to the Judiciary Finance and Civil Law Division
03/14/2019 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

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 REPRODUCTION.**

1.8 Subdivision 1. **~~Husband~~ Spouse treated as biological father parent.** If, under the
1.9 supervision of a licensed physician and with the consent of her ~~husband~~ spouse, a ~~wife is~~
1.10 ~~inseminated artificially~~ woman conceives through assisted reproduction with semen or ova
1.11 or both, donated by a ~~man not her husband~~ donor or donors not her spouse, the ~~husband~~
1.12 spouse is treated in law as ~~if he were the biological father~~ the parent of a child thereby
1.13 conceived. The ~~husband's~~ spouse's consent must be in writing and signed by ~~him and his~~
1.14 ~~wife~~ the spouse and the woman conceiving through assisted reproduction. The consent must
1.15 be retained by the physician for at least four years after the confirmation of a pregnancy
1.16 that occurs during the process of ~~artificial insemination~~ assisted reproduction.

1.17 All papers and records pertaining to the ~~insemination~~ assisted reproduction, whether
1.18 part of the permanent record of a court or of a file held by the supervising physician or
1.19 elsewhere, are subject to inspection only upon an order of the court for good cause shown.

1.20 Subd. 2. **~~Donor not treated as biological father~~ parent.** The donor of semen or ova
1.21 provided to a licensed physician for use in ~~artificial insemination of~~ assisted reproduction
1.22 by a married woman other than the donor's ~~wife~~ spouse is treated in law as if ~~he were the~~

- 2.1 donor is not the biological father parent of a child thereby conceived, unless a court finds
- 2.2 satisfactory evidence that the donor and the woman intended for the donor to be a parent.