

1 Reproductive Regulation to study the implementation and regulation of gestational carrier
2 agreements in this state, and may propose recommendations, together with specific
3 proposals, for legislation. Any recommendations or proposals shall be submitted by written
4 report to the legislature and to the David R. Poynter Legislative Research Library as required
5 by R.S. 24:771 and 772.

6 BE IT FURTHER RESOLVED that the legislature recommends that the task force
7 include consideration of all of the following:

8 (1) Whether and how this state should recognize and regulate gestational carrier
9 agreements.

10 (2) Development of a regulatory framework consistent with the Human Embryo
11 Statutes, R.S. 9:121 through 133.

12 (3) Compliance with applicable federal nondiscrimination and privacy laws,
13 including the Affordable Care Act, the Americans with Disabilities Act, and the Health
14 Insurance Portability and Accountability Act.

15 (4) Appropriate regulatory authority and oversight responsibilities among the
16 Louisiana Department of Health, the courts, the Department of Justice, and other state
17 agencies.

18 (5) Financial eligibility standards, escrow requirements, compensation protections,
19 and related safeguards for gestational carriers that protect participants without creating
20 discriminatory barriers.

21 (6) Standards governing informed consent and medical decision-making authority
22 during assisted reproductive and gestational carrier arrangements.

23 (7) Development of data collection, reporting, and record retention standards relating
24 to gestational carrier arrangements and assisted reproductive practices.

25 (8) Ethical considerations relating to reproductive medicine, family formation, and
26 maternal and child health.

27 (9) Development of a comprehensive legal and regulatory framework governing the
28 ethical creation, licensure oversight, and operation of private gestational carrier agencies in
29 this state.

1 (10) Procedures for the establishment of legal parentage and judicial recognition of
2 intended parents in gestational carrier arrangements.

3 (11) Birth certificate issuance and amendment procedures for children born pursuant
4 to gestational carrier agreements.

5 (12) A review of regulatory and statutory frameworks adopted in other states
6 governing gestational carrier agreements and assisted reproductive technology.

7 (13) Recommendations regarding judicial procedures, venue, confidentiality
8 protections, and evidentiary standards applicable to gestational carrier proceedings.

9 (14) The interaction between gestational carrier agreements and existing state laws
10 governing in vitro fertilization, embryo disposition, and juridical persons.

11 BE IT FURTHER RESOLVED that the task force shall consist of the following
12 members:

13 (1) One member who is the secretary of the Louisiana Department of Health or his
14 designee.

15 (2) One member who is the attorney general or his designee.

16 (3) One member who is the secretary of the Department of Children and Family
17 Services or his designee.

18 (4) One member who is the assistant secretary of the office on women's health and
19 community health or his designee.

20 (5) One member who is a healthcare professional specializing in maternal and fetal
21 health care appointed by the speaker of the House of Representatives.

22 (6) One member who is a board-certified maternal-fetal medicine physician
23 appointed by the speaker of the House of Representatives.

24 (7) One member who is a licensed attorney with expertise in family law and
25 reproductive law appointed by the speaker of the House of Representatives.

26 (8) One member who is a representative of the Louisiana State Law Institute with
27 expertise in family law or persons law appointed by the president of the Louisiana State Law
28 Institute.

1 (9) One member who is a licensed psychologist or licensed professional counselor
2 with experience in third-party reproduction appointed by the speaker of the House of
3 Representatives.

4 (10) One member who advocates for reproductive rights appointed by the speaker
5 of the House of Representatives.

6 (11) One member who is the executive director of the Louisiana Conference of
7 Catholic Bishops or his designee.

8 (12) One member appointed by the chair of the House Committee on Health and
9 Welfare.

10 (13) One member appointed by the chair of the Senate Committee on Health and
11 Welfare.

12 BE IT FURTHER RESOLVED that the chair of the task force shall be selected by
13 a majority vote of the members of the task force.

14 BE IT FURTHER RESOLVED that a majority of the task force shall constitute a
15 quorum for the transaction of business, and all official actions of the task force shall require
16 the affirmative vote of a majority of the members.

17 BE IT FURTHER RESOLVED that the task force shall convene for its first meeting
18 no later than September 1, 2026.

19 BE IT FURTHER RESOLVED that the task force shall be staffed by the Louisiana
20 Department of Health.

21 BE IT FURTHER RESOLVED that in conducting this study the task force is
22 encouraged to seek input and advice from members of the judiciary, medical licensing
23 boards, fertility clinics, legal scholars, bioethicists, vital records officials, and any other
24 stakeholders the task force deems necessary.

25 BE IT FURTHER RESOLVED that the Rules of Order of the House of
26 Representatives or applicable Joint Rules shall apply to all meetings of the task force.

27 BE IT FURTHER RESOLVED that the members of the task force shall serve
28 without compensation, except per diem or expense reimbursement to which they may be
29 individually entitled as members of their constituent organizations.

1 BE IT FURTHER RESOLVED that meetings of the task force shall be subject to the
2 Open Meetings Law, R.S. 42:11 et seq., and records of the task force shall be subject to the
3 Public Records Law, R.S. 44:1 et seq.

4 BE IT FURTHER RESOLVED that all members of the task force shall receive
5 written agenda materials and issue memoranda in advance of each meeting.

6 BE IT FURTHER RESOLVED that the task force shall submit its final written
7 report, including findings, recommendations, and proposed statutory language, not later than
8 February 15, 2027.

9 BE IT FURTHER RESOLVED that the task force shall terminate upon submission
10 of its final report or February 28, 2027, whichever occurs first.

11 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
12 secretary of the Louisiana Department of Health, the attorney general, the secretary of the
13 Department of Children and Family Services, and the executive director of the Louisiana
14 Conference of Catholic Bishops.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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2026 Regular Session

Terry Landry

Creates the Task Force on Gestational Carrier Agreements and Assisted Reproductive Regulation to study the implementation and regulation of gestational carrier agreements in this state.

Requires the task force to submit a report by Feb. 15, 2027.