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HOUSE FLOOR AMENDMENTS

2016 Regular Session

Amendments proposed by Representative Bishop to Reengrossed House Bill No. 1102 by Representative Bishop

1 AMENDMENT NO. 1

2 On page 1, line 6, after "through" and before the comma "," delete "97" and insert "96"

3 AMENDMENT NO. 2

4 On page 2, at the end of line 2, delete "mother" and insert "carrier"

5 AMENDMENT NO. 3

6 On page 2, delete line 13 in its entirety and insert the following:

7 "PART I. LEGISLATIVE INTENT AND DEFINITIONS

8 §2718. Purpose and Intent

9 The purpose and intent of this Part is to regulate gestational surrogacy
10 agreements. The legislature has been guided by, among other things, the best
11 interest of the children who are born as a result of gestational surrogacy. The
12 legislature finds that it is desirable to assure that the intended parents of
13 every child born through the use of assisted reproductive technology be legal
14 and biological parents of the child. Accordingly, in regulating gestational
15 surrogacy agreements by means of this Part, the legislature has restricted the
16 range of enforceable gestational surrogacy agreements to those in which the
17 parties who engage the gestational surrogate not only are married to each
18 other, but also create the child using only their own gametes. These
19 compelling state interests justify provisions for filiation to be recognized by
20 a court upon proof that the child is genetically related to both parents, so that
21 the intended parents can bypass the current need to go through extended
22 proceedings to adopt their own child."

23 AMENDMENT NO. 4

24 On page 2, at the beginning of line 14, change "§2718" to "§2718.1."

25 AMENDMENT NO. 5

26 On page 2, line 21, delete "mother" and insert "carrier"

27 AMENDMENT NO. 6

28 On page 3, delete lines 1 through 5 and insert the following:

29 "(4) "Gestational carrier" means a woman who agrees to engage in a
30 process by which she attempts to carry and give birth to a child born as a
31 result of an in utero transfer of a human embryo to which she makes no
32 genetic contribution."

1 AMENDMENT NO. 7

2 On page 3, line 6, change "(6)" to "(5)"

3 AMENDMENT NO. 8

4 On page 3, line 8, delete "mother" and insert "carrier"

5 AMENDMENT NO. 9

6 On page 3, delete lines 9 through 13 and insert the following:

7 "(6) "Intended parents" means a married couple who each exclusively
8 contribute their own gametes to create their embryo and who enter into an
9 enforceable gestational carrier contract, as defined in this Chapter, with a
10 gestational carrier pursuant to which the intended parents will be the legal
11 parents of the child resulting from an in utero embryo transfer."

12 AMENDMENT NO. 10

13 On page 3, line 21, delete "mother" and insert "carrier"

14 AMENDMENT NO. 11

15 On page 3, line 27, change "R.S. 9:2718" to "R.S. 9:2718.1"

16 AMENDMENT NO. 12

17 On page 4, line 4, delete "mother" and insert "carrier"

18 AMENDMENT NO. 13

19 On page 4, line 12, delete "mother" and insert "carrier"

20 AMENDMENT NO. 14

21 On page 4, line 18, delete "mother" and insert "carrier"

22 AMENDMENT NO. 15

23 On page 5, between lines 3 and 4, insert the following:

24 "(5) Agree to attend a minimum of one post birth counseling session
25 within six months of the birth of the child."

26 AMENDMENT NO. 16

27 On page 5, line 4, after "parents" delete "shall", delete line 5 in its entirety, and at the
28 beginning of line 6, delete "law and"

29 AMENDMENT NO. 17

30 On page 5, line 7, delete "mother" and insert "carrier"

31 AMENDMENT NO. 18

32 On page 5, line 8, delete "decisionmaking" and insert "decision-making"

1 AMENDMENT NO. 19

2 On page 5, between lines 13 and 14, insert the following:

3 "(4) The intended parents have a valid will or succession plan
4 establishing custody of the child should both intended parents predecease the
5 birth of the child."

6 AMENDMENT NO. 20

7 On page 5, line 18, delete "mother" and insert "carrier", and delete "husband" and insert
8 "spouse"

9 AMENDMENT NO. 21

10 On page 5, line 20, delete "mother" and insert "carrier"

11 AMENDMENT NO. 22

12 On page 5, line 24, delete "mother" and insert "carrier"

13 AMENDMENT NO. 23

14 On page 5, line 26, delete "mother" and insert "carrier"

15 AMENDMENT NO. 24

16 On page 6, line 5, delete "mother" and insert "carrier"

17 AMENDMENT NO. 25

18 On page 6, line 17, delete "mother" and insert "carrier"

19 AMENDMENT NO. 26

20 On page 6, line 22, delete "mother" and insert "carrier"

21 AMENDMENT NO. 27

22 On page 7, line 1, delete "mother" and insert "carrier"

23 AMENDMENT NO. 28

24 On page 7, line 5, delete "mother" and insert "carrier"

25 AMENDMENT NO. 29

26 On page 7, line 11, after "Services," insert "in accordance with the applicable rules and
27 regulations promulgated by the department,"

28 AMENDMENT NO. 30

29 On page 7, line 27, delete "mother" and insert "carrier"

30 AMENDMENT NO. 31

31 On page 8, line 4, delete "mother" and insert "carrier"

1 AMENDMENT NO. 32

2 On page 8, line 6, delete "mother" and insert "carrier"

3 AMENDMENT NO. 33

4 On page 8, line 10, delete "mother" and insert "carrier"

5 AMENDMENT NO. 34

6 On page 8, line 11, delete "mother" and insert "carrier"

7 AMENDMENT NO. 35

8 On page 8, line 13, delete "mother" and insert "carrier"

9 AMENDMENT NO. 36

10 On page 8, line 14, delete "mother" and insert "carrier"

11 AMENDMENT NO. 37

12 On page 8, line 16, delete "mother" and insert "carrier"

13 AMENDMENT NO. 38

14 On page 8, line 18, delete "mother" and insert "carrier"

15 AMENDMENT NO. 39

16 On page 9, line 16, delete "mother" and insert "carrier"

17 AMENDMENT NO. 40

18 On page 9, line 21, delete "mother" and insert "carrier"

19 AMENDMENT NO. 41

20 On page 9, line 25, delete "mother" and insert "carrier"

21 AMENDMENT NO. 42

22 On page 10, line 19, delete "mother" and insert "carrier"

23 AMENDMENT NO. 43

24 On page 10, line 23, delete "mother" and insert "carrier"

25 AMENDMENT NO. 44

26 On page 10, line 25, delete "mother" and insert "carrier"

27 AMENDMENT NO. 45

28 On page 10, at the end of line 29, insert the following:

29 "The motion shall also be accompanied by verification from the physician
30 that performed the in utero embryo transfer for the intended parents into the

1 gestational carrier that the gestational carrier was not pregnant at the time of
2 the transfer and the transfer resulted in a pregnancy."

3 AMENDMENT NO. 46

4 On page 11, delete lines 1 through 5

5 AMENDMENT NO. 47

6 On page 11, line 6, delete "C." and insert "B."

7 AMENDMENT NO. 48

8 On page 11, line 21, delete "mother" and insert "carrier"

9 AMENDMENT NO. 49

10 On page 13, line 25, delete "mother" and insert "carrier"

11 AMENDMENT NO. 50

12 On page 13, line 28, delete "mother" and insert "carrier"

13 AMENDMENT NO. 51

14 On page 14, line 1, delete "mother" and insert "carrier"

15 AMENDMENT NO. 52

16 On page 14, line 3, delete "mother" and insert "carrier"

17 AMENDMENT NO. 53

18 On page 14, line 4, delete "mother" and insert "carrier"

19 AMENDMENT NO. 54

20 On page 14, line 6, delete "mother" and insert "carrier"

21 AMENDMENT NO. 55

22 On page 14, line 11, change "R.S. 9:2718" to "R.S. 9:2718.1"

23 AMENDMENT NO. 56

24 On page 14, line 13, delete "mother" and insert "carrier"

25 AMENDMENT NO. 57

26 On page 14, line 21, after "through" and before the comma "," delete "97" and insert "96"

27 AMENDMENT NO. 58

28 On page 15, line 6, delete "mother" and insert "carrier"

29 AMENDMENT NO. 59

30 On page 15, line 16, change "mother and father" to "parents"

1 AMENDMENT NO. 60

2 On page 15, line 24, delete "mother" and insert "carrier"

3 AMENDMENT NO. 61

4 On page 16, delete lines 7 through 9 in their entirety

5 AMENDMENT NO. 62

6 On page 16, at the beginning of line 10, delete "§97." and insert "§96."

7 AMENDMENT NO. 63

8 On page 16, line 28, after "95," and before the comma " ," delete "97" and insert "96"