

HOUSE BILL 2344

By Farmer

AN ACT to amend Tennessee Code Annotated, Title 36,
relative to surrogate births.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 36, Chapter 1, Part 1, is amended by adding the following as a new section:

36-1-____.

(a)

(1) In any contract involving a surrogate birth that is otherwise authorized by law, the intended parents shall acknowledge that the woman who is carrying the fetus has the sole authority with respect to medical decision-making during the term of the pregnancy consistent with the rights of a pregnant woman carrying her own biological fetus.

(2) Any provision of a contract involving a surrogate birth that interferes with the authority of the woman who is carrying the fetus with respect to medical decision-making during the term of the pregnancy protected in subdivision (a)(1) shall be void and unenforceable in this state. Such a provision of a contract involving a surrogate birth is against the public policy of this state and shall be unenforceable.

(b) Nothing in this section shall be construed to authorize any contract or agreement for a surrogate birth or the surrogate birth process in this state.

SECTION 2. This act shall take effect on July 1, 2014, the public welfare requiring it.