

- SUBJECT:** Requiring disclosure of gestational agreements in divorce proceedings
- COMMITTEE:** Juvenile Justice and Family Issues — committee substitute recommended
- VOTE:** 7 ayes — Dutton, Dale, Biedermann, Cain, Moody, Schofield, Thierry
0 nays
- WITNESSES:** For — (*Registered, but did not testify*: Emily Horne, Texas Right to Life)

Against — (*Registered, but did not testify*: Cindy Asmuseen; Traycd Bradford; William Busby; Dana Hodges)

On — Steve Bresnen and Heather King, Texas Family Law Foundation
- BACKGROUND:** Family Code, ch. 160, subch. I governs gestational agreements, which involve a woman and the intended parents of a child entering an agreement in which the woman relinquishes all parental rights to a child conceived through assisted reproduction and the intended parents become the parents of the child. When the intended parents are a married couple filing for divorce, confusion can arise about the parent-child relationship among the intended parents, the gestational mother, and the child.
- DIGEST:** CSHB 1216 would require divorce petitions between married couples that had entered into a gestational agreement to disclose:
- the existence of a gestational agreement
 - whether the gestational mother was pregnant or a child had been born under the agreement; and
 - whether the agreement had been validated by a court.
- The bill would allow an intended parent to file suit to establish parental rights, but only against or jointly with the other intended parent.

The bill would take effect September 1, 2017, and would apply only to petitions for divorce filed on or after that date.