

**IC 31-20**

**ARTICLE 20. FAMILY LAW: HUMAN REPRODUCTION**

**IC 31-20-1**

Chapter 1. Surrogate Agreements

**IC 31-20-1-1**

**Public policy declaration**

Sec. 1. The general assembly declares that it is against public policy to enforce any term of a surrogate agreement that requires a surrogate to do any of the following:

- (1) Provide a gamete to conceive a child.
- (2) Become pregnant.
- (3) Consent to undergo or undergo an abortion.
- (4) Undergo medical or psychological treatment or examination.
- (5) Use a substance or engage in activity only in accordance with the demands of another person.
- (6) Waive parental rights or duties to a child.
- (7) Terminate care, custody, or control of a child.
- (8) Consent to a stepparent adoption under IC 31-19 (or IC 31-3-1 before its repeal).

*As added by P.L.1-1997, SEC.12.*

**IC 31-20-1-2**

**Void agreements**

Sec. 2. A surrogate agreement described in section 1 of this chapter that is formed after March 14, 1988, is void.

*As added by P.L.1-1997, SEC.12.*

**IC 31-20-1-3**

**Best interests of child; basis for court decisions**

Sec. 3. After March 14, 1988, a court may not base a decision concerning the best interests of a child in any civil action solely on evidence that a surrogate and any other person:

- (1) entered into a surrogate agreement; or
- (2) acted in accordance with a surrogate agreement;

unless a party proves that the surrogate agreement was entered into through duress, fraud, or misrepresentation.

*As added by P.L.1-1997, SEC.12.*