

ASSISTED REPRODUCTION AND SURROGACY PARENTAGE ACT (EXCERPT)
Act 24 of 2024

722.1703 Definitions.

Sec. 103. As used in this act:

(a) "Assisted reproduction" means a method of causing pregnancy through means other than by sexual intercourse including, but not limited to, all of the following:

(i) Intrauterine, intracervical, or vaginal insemination.

(ii) Donation of gametes.

(iii) Donation of embryos.

(iv) In vitro fertilization and embryo transfer.

(v) Intracytoplasmic sperm injection.

(vi) Assisted reproductive technology.

(b) "Child" means an individual born as a result of assisted reproduction or under a surrogacy agreement, whose parentage may be determined under this act.

(c) "Donor" means an individual who provides gametes intended for use in assisted reproduction, whether or not for compensation. Donor does not include an individual who gives birth to a child conceived by assisted reproduction, except in the case of surrogacy, or an individual who is a parent under the rules governing the parentage of children conceived by assisted reproduction or assisted reproduction under a surrogacy agreement under parts 2 and 3.

(d) "Genetic surrogate" means an individual, not an intended parent, who agrees to become pregnant through assisted reproduction using the individual's own gametes.

(e) "Gestational surrogate" means an individual, not an intended parent, who agrees to become pregnant through assisted reproduction using gametes that are not the individual's own.

(f) "Intended parent" means an individual, married or unmarried, who manifests an intent to be legally bound as a parent of a child conceived by assisted reproduction or by assisted reproduction under a surrogacy agreement.

(g) "Medical evaluation" means a complete consultation with and evaluation by a physician.

(h) "Mental health consultation" means a consultation with and, when required by this act, an assessment by a mental health professional.

(i) "Mental health professional" means that term as defined in section 100b of the mental health code, 1974 PA 258, MCL 330.1100b.

(j) "Physician" means an individual licensed under part 170 or 175 of the public health code, 1978 PA 368, MCL 333.17001 to 333.17097 and 333.17501 to 333.17556, to engage in the practice of medicine or osteopathic medicine and surgery.

(k) "Surrogacy agreement" means an agreement between 1 or more intended parents and a surrogate in which the surrogate agrees to become pregnant by assisted reproduction and that provides that each intended parent is a parent of a child conceived under the agreement. Unless otherwise specified, the term refers to both a gestational surrogacy agreement and a genetic surrogacy agreement.

(l) "Surrogate" means an individual who is not an intended parent and who agrees to become pregnant through assisted reproduction under a surrogacy agreement. Surrogate includes a genetic surrogate or gestational surrogate, as applicable.

History: 2024, Act 24, Eff. Apr. 2, 2025.