

**EXHIBIT A**

<b>YEAR</b>	<b>STATE LAW AFFECTING SURROGACY</b>	<b>EFFECT</b>
1988 (limit) New Jersey	<i>In re Baby M</i> , 537 A.2d 1227 (N.J. 1988)	All surrogacy agreements are unenforceable.
1988 (limit) Indiana	§ 31-20-1-1	All surrogacy agreements are unenforceable.
1988 (limit) Kentucky	§ 199.590	Traditional surrogacy agreements are void. <b>No compensation allowed.</b>
1988 (limit) Michigan	§ 722.855	All surrogacy agreements are void. <b>No compensation allowed.</b>
1988 (limit) Nebraska	§ 25-21,200	All surrogacy agreements are void.
1989 (limit) Arizona	§ 25-218 <b>Unconstitutional/Preempted</b> <i>Soos v. Superior Court in and for Maricopa</i> , 182 Ariz. 470 (Ct. App. 1994).	All surrogacy agreements are prohibited.
1989 (allow) Arkansas	§ 9-10-201	Traditional surrogacy agreements are permitted. <b>Compensation permitted.</b>
1989 (allow) Iowa	§§ 710.11/641-99.15	Exempts surrogacy from baby-selling statutes. (i.e.- <b>Compensation permitted</b> ).

<b>YEAR</b>	<b>STATE LAW AFFECTING SURROGACY</b>	<b>EFFECT</b>
1989 (limit) Washington	§ 26.26.210 <i>et seq</i>	Surrogacy agreements for <b>compensation</b> are <b>prohibited</b> .
1990 (allow) Alabama	§ 26-10A-33 <i>et seq</i>	Exempts surrogacy agreements from adoption requirement and compensation prohibition. ( <b>i.e.- Compensation permitted</b> ).
1991 (allow) Virginia	§ 20-156 <i>et seq</i>	All surrogacy agreements are permitted. <b>No compensation allowed</b> .
<u>1992 (limit) New York</u>	Domestic Relations § 122 <i>et seq</i>	Surrogacy agreements for <b>compensation</b> are <b>void</b> .
1993 (allow) California	Family Code § 7648.9 <i>Johnson v. Calvert</i> , 851 P.2d 776 (Cal. 1993); <i>In re Marriage of Moschetta</i> , 30 Cal. Rptr. 2d 893 (Cal. Ct. App. 1994); <i>In re Marriage of Buzzanca</i> , 72 Cal. Rptr. 2d 280 (Cal. Ct. App. 1998)	Gestational surrogacy Agreements are enforceable and intended parents receive custody in a disputed case. <b>Compensation permitted</b> .
<u>1993 (limit) District of Columbia</u>	§ 16-402(a)	All surrogacy agreements are <b>prohibited</b> .

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**TRANSITION FROM TRADITIONAL TO GESTATIONAL SURROGACY**

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1993 (allow) Florida	§ 742.11	Gestational surrogacy agreements are permitted. <b>Reasonable living expenses permitted</b> .
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1994 (limit) Arizona	<i>Soos v. Superior Court in and for Maricopa</i> , 182 Ariz. 470 (Ct. App. 1994). (Preempts § 25-218)	§ 25-218 violates the equal protection guarantees by allowing biological father to prove paternity and automatically granted surrogate mother status as the legal mother, but did not allow any means for the biological mother, who donated eggs, to prove maternity.
1997 (allow) Oregon	§ 163.537	Exempts surrogacy from baby-selling statute. <b>(i.e.- Compensation permitted).</b>
2000 (allow) Tennessee	§ 36-1-102 (48 A)	Exempts surrogacy from any requirement for adoption to establish intended parents' legal parentage. <b>(i.e.- Compensation permitted).</b>
2001 (allow) Massachusetts	<i>Culliton v. Beth Israel Deaconess Medical Center</i> , 756 N.E. 2d 1133 (Mass. 2001); <i>Hodas v. Morin</i> , 814 N.E. 2d 320 (Mass. 2004)	Finds surrogacy agreements not intended to be governed by preexisting paternity or adoption requirements and holds pre-birth parentage order for intended parents is allowed.

<b>YEAR</b>	<b>STATE LAW AFFECTING SURROGACY</b>	<b>EFFECT</b>
2003 (allow) Texas	§ 160.751 <i>et seq</i>	Gestational surrogacy agreements are permitted. Uniform Parentage Act. <b>Compensation permitted.</b>
2005 (allow) Illinois	Ch. 750, § 47/1 <i>et seq</i>	Gestational surrogacy agreements are permitted. <b>Compensation permitted.</b>
2005 (allow) North Dakota	§ 14-18-08	Gestational surrogacy agreements are permitted. <b>Compensation permitted.</b>
2005 (allow) Utah	§ 78B-15-801 <i>et seq</i>	Gestational surrogacy agreements are permitted. <b>Compensation permitted.</b>
2011 (allow) Connecticut	<i>Raftopol v. Raney</i> , 12 A.3d 783, Conn. Gen. Stat. § 7-48a	Gestational surrogacy agreements are permitted. <b>Compensation permitted.</b>
2012 (allow) Maine	<i>Nolan v. LaBree</i> , 52 A.3d 923 (2012)	Gestational surrogacy agreements are enforceable. <b>Compensation permitted.</b>
2012 (allow) West Virginia	§ 61-2-14h	Exempts surrogacy from baby-selling statute. (i.e.- <b>Compensation permitted).</b>

<b>YEAR</b>	<b>STATE LAW AFFECTING SURROGACY</b>	<b>EFFECT</b>
2013 (allow) Nevada	N.R.S. §§ 126.500-126.810	Gestational surrogacy agreements are permitted. <b>Compensation permitted.</b>
2013 (allow) Delaware	Del. Code 13, §§ 8-801-8-810	Gestational surrogacy agreements are permitted. <b>Compensation permitted.</b>
2013 (allow) Wisconsin	<i>In re FTR, Rosecky v. Schissel</i> , 2013 WI 66, <i>Mercycare v. Wisc. Comm. of Insur.</i> , 786 NW2d 785	Traditional surrogacy agreements are enforceable. Insurance companies may not deny maternity coverage. <b>Compensation permitted.</b>
2014 (allow) New Hampshire	N.H.Rev.Stat.Ann. § 168-B	Gestational surrogacy agreements are permitted. <b>Compensation permitted.</b>
2016 (allow) Louisiana	9:2719 <i>et seq</i> ; § 2720	Gestational surrogacy agreements are permitted. Limited to IPs who are married to each other and use own gametes. <b>No compensation allowed.</b> (Repealed § 9:2713 (1988): Traditional surrogacy agreements are void).

**Pending Affirmative Legislation:**

District of Columbia—No changes

Maryland—Maryland Collaborative Reproduction Act passed Senate but died in House; allowed gestational surrogacy and reasonable compensation.

New Jersey—Governor Christie vetoed Gestational Surrogacy bill allowing compensation on June 30<sup>th</sup>, 2015.

New York (Task Force)— Report pending.

Arkansas—Proposed amendment (2016 AZ S.B. 1087) would add the word “parentage” in between “surrogate” and “contract” under § 9-10-210(C).

**Pending Negative Legislation:** None