

~~(B) "SURROGATE MOTHER AGREEMENT" MEANS AN AGREEMENT BETWEEN A BIRTH FATHER AND SURROGATE MOTHER THAT REQUIRES THE PAYMENT OF CONSIDERATION TO THE SURROGATE MOTHER AND THAT REQUIRES THE SURROGATE MOTHER TO BEAR A CHILD AFTER THE SURROGATE MOTHER HAS BEEN IMPREGNATED WITH THE SEMEN OF THE BIRTH FATHER.~~

~~(C) "BIRTH FATHER" MEANS THE MAN:~~

~~(1) WHOSE SEMEN IS USED TO INSEMINATE A SURROGATE MOTHER; AND~~

~~(2) WHO WILL ASSUME PARENTAL RIGHTS AS TO THE CHILD OR CHILDREN.~~

~~(D) "SURROGATE MOTHER" MEANS A WOMAN WHO FOR THE EXCHANGE OF CONSIDERATION:~~

~~(1) IS CAPABLE OF BEING IMPREGNATED;~~

~~(2) IS INSEMINATED WITH THE SEMEN OF A BIRTH FATHER; AND~~

~~(3) AGREES THAT IF SHE CONCEIVES AND BEARS A CHILD OR CHILDREN, SHE SHALL VOLUNTARILY RELINQUISH ANY PARENTAL RIGHTS AND RESPONSIBILITIES FOR THE CHILD OR CHILDREN.~~

~~5-2A-02.~~

~~A SURROGATE MOTHER AGREEMENT IS VOID AND AGAINST PUBLIC POLICY.~~

~~5-2A-03.~~

~~A PERSON MAY NOT, FOR CONSIDERATION, PROCURE, ACT AS AN AGENT FOR, FACILITATE, OR ASSIST IN THE CARRYING OUT OF A SURROGATE MOTHER AGREEMENT.~~

~~5-2A-04.~~

~~AN ORAL OR WRITTEN SURROGATE MOTHER AGREEMENT IS NOT ENFORCEABLE IN ANY COURT IN THE STATE.~~

~~5-2A-05.~~

~~ANY PERSON WHO VIOLATES § 5-2A-03 OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$10,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.~~