

# Commercial Surrogacy is Not like Adopting a Newborn

Adoption	Commercial Surrogacy
A pregnant mom in a difficult situation makes an adoption plan to give her child the best chance possible at life. After birth, there is a prescribed <b>waiting period before she can terminate her parental rights</b> and give the precious gift of her child to another.	A couple or individual hires a surrogate mom to carry and give birth to a child conceived through reproductive technology. The contract usually <b>requires the surrogate mother to sign away her parental rights before conception.</b>
The <b>birth mother is valued</b> for the sacrifice she makes in giving the gift of a child.	The <b>birth mother is used</b> to produce a child to fulfill the dictates of a contract which <b>can compel the mother to abort a baby that is deemed undesirable.</b>
Mends a family wound caused by separation from birth mother	Creates a family wound caused by separation from birth mother
Child-centered (child is the focus) <ul style="list-style-type: none"> <li>• <b>Child is accepted lovingly as is</b></li> <li>• <b>Best interest of child is paramount</b></li> <li>• Parents sacrifice for child by supporting the child through the loss of biological parents</li> </ul>	Adult-centered (adults are the focus) <ul style="list-style-type: none"> <li>• <b>Adults choose</b> desirable egg and sperm donors and then rent a human incubator</li> <li>• <b>Subject to Contract Law</b></li> <li>• Child sacrifices to support parents in accommodating a specific desire without the consideration of the child's loss</li> </ul>
Requires home studies, investigations and hearings. A <b>judge determines fitness of parents and best interest of the child.</b>	<b>Anyone with enough money</b> can enter into a surrogacy contract regardless of fitness to parent. In contract disputes the <b>best interest of the child is not a consideration.</b>
It is a <b>felony to give or receive money</b> in connection with an adoption SDCL 25-6-4.2*. Adoptive parents pay legal fees and may pay medical expenses if approved by the court.	Surrogate <b>mother is paid</b> to surrender her parental rights to a child. Commercial surrogacy recipients pay legal fees, medical and other expenses.

HB1096 **bans commercial surrogacy** which exploits mothers and commodifies children.  
 HB1096 **does not prohibit altruistic surrogacy** where no one profits.

*\*25-6-4.2. Any person who offers, gives, or receives any money or other consideration or thing of value in connection with the placing of any child for adoption, or relating to the consent to adoption, or with the petition for adoption except such charges as are approved by the court and fees charged by agencies licensed pursuant to chapter 26-6, is guilty of a Class 6 felony.*



In Defense of Families and Judeo-Christian Values

**Vote Yes on HB1096 to Stop Commercial Surrogacy in SD**