



Legislative Testimony
765 Asylum Avenue, First Floor
Hartford, CT 06105
860-523-9146
www.acluct.org

**Written Testimony Supporting House Bill 6321, An Act Concerning
Adoption and Implementation of the Connecticut Parentage Act**

Senator Winfield, Representative Stafstrom, Ranking Members Kissel and Fishbein, and distinguished members of the Judiciary Committee:

My name is Kelly McConney Moore, and I am the interim senior policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony in support of House Bill 6321, An Act Concerning Adoption and Implementation of the Connecticut Parentage Act.

The ACLU-CT is an organization that defends, promotes, and preserves the rights of LGBTQ people. We are also dedicated supporters of reproductive freedom – the idea that a person should have full autonomy to choose when, how, and with whom to create a family. These two issues converge in a core belief that families of all types, no matter how they are created, deserve recognition and protection. The Connecticut Parentage Act provides a path to secure protection for parents and children who currently have no legal recognition.

Currently, Connecticut law has gaps that fail to recognize that parents who may not have biological ties to their children are nonetheless still legal parents. Many unmarried same-sex couples have children with one biological parent and one non-biological parent. Under current law, the non-biological parent is a legal stranger to their child, regardless of the length or depth of the parent-child relationship. Connecticut considers itself a leader in championing LGBTQ rights,¹ but it has failed to protect LGBTQ families adequately.

¹ See Kathleen Megan, “Connecticut Communities Score High on LGBTQ Issues, Civil Rights Group Says.” CT Mirror (Nov. 20, 2019), available at <https://ctmirror.org/2019/11/20/connecticut-communities-score-high-on-lgbtq-issues-civil-rights-group-says/>.

For unmarried opposite-sex couples who bear a child through assisted reproduction, the risks are similar for a non-biological parent. Connecticut has the second-highest rate of births through assisted reproduction in the country.² Connecticut should do more to protect families created by assisted reproduction.

Current law in Connecticut on surrogacy is incomplete. The Connecticut Parentage Act creates clear standards for the rights of all people involved, including any biological intended parent(s), any non-biological intended parent(s), and the surrogate, whether biological or non-biological. It also preserves the reproductive freedom and healthcare autonomy of the surrogate, even within the context of the surrogacy contract, thereby protecting the surrogate's important Constitutional rights.

At a time when the rights of LGBTQ families are under attack around the country,³ Connecticut should be a leader in shoring up protections for families of all types. Existing legal loopholes leave too many relationships unprotected in the eyes of the law. The Connecticut Parentage Act would close those loopholes and ensure legal recognition of all types of families. The ACLU-CT thus strongly supports House Bill 6321 and encourages the committee to support it to secure legal protections for all of Connecticut's diverse array of families.

² Saswati Sunderam *et al.*, "Assisted Reproductive Technology Surveillance – United States, 2015" at Table 3. Centers for Disease Control and Prevention Morbidity and Mortality Weekly Report (Feb. 16, 2018), *available at* <https://www.cdc.gov/mmwr/volumes/67/ss/ss6703a1.htm>.

³ *See, e.g.*, Brooke Sopelsa, "Rule Would Let Faith-Based Adoption Groups Exclude LGBTQ Parents." NBC News (Nov. 1, 2019), *available at* <https://www.nbcnews.com/feature/nbc-out/rule-would-let-faith-based-adoption-groups-exclude-lgbtq-parents-n1075341>.