



Paid surrogacy no longer a crime in Michigan after Whitmer signs MI Family Protection Act into law

By Andres Gutierrez

April 1, 2024 / 5:50 PM EDT / CBS Detroit

ROYAL OAK, Mich. (CBS DETROIT) – For more than 30 years, Michiganders who wanted to start a family using a paid surrogate could find themselves facing jail time or even a fine.

Under a series of bills signed into law on Monday by Gov. Gretchen Whitmer, that is no longer the case.

In 2015, Tammy Myers from Grand Rapids was diagnosed with breast cancer around the time she and her husband, Jordan, were looking to conceive a second child.

"The first words out of my mouth were, 'How long do I have?' and 'Can I have another child?' I'm grateful that I asked those questions because I was put in touch with the right people to ensure that I could preserve my fertility," Myers said.

Through a surrogate, they had twins, but because of the law at the time, the Myers had to go to court to adopt their biological children.



"We had already successfully had an eight-year-old child and were able to raise her; you know, CPS was never involved or anything, but we were scrutinized to like FBI background checks and doing home visits, and all sorts of other things that, like a normal family, if you're just conceiving naturally, would never have any of those types of issues," Jordan Myers said.

It was a nearly two-year legal saga that Whitmer doesn't want any other family in Michigan to experience.

On Monday, she signed the Michigan Family Protection Act, aimed at protecting families who use IVF and ensuring LGBTQ+ parents are treated equally.

"We knew we had our reproductive rights intact until the fall of Roe v. Wade. We were much more avant-garde than other states. And yet, this remained on the books, and so it's good to finally clear this arcane, cruel law off the books," Whitmer said.

The new laws protect the biological parents, the surrogate and the child.

According to the Michigan Fertility Alliance, there are over 300,000 Michiganders who want to have children but can't.

"Infertility is crippling. It's like being a bird without wings. People don't understand that, and for our LGBTQ community, it's equally important for them to be able to secure their rights to their children, and we are fighting for you as well," Stephanie Jones, founder of the Michigan Fertility Alliance, said.

Gov. Whitmer pointed out that only two Republican senators supported the bills.

"I hope that our Democratic allies and our Republican allies will support us going forward and that this is something that they will hold in high regard and truthfully fight to keep to keep this in place for families like mine in the future," Myers said.