

119TH CONGRESS
2D SESSION

H. R. 9131

To prohibit surrogacy agencies from facilitating surrogacy contracts with sex offenders, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 2026

Mr. PERRY (for himself, Mr. BIGGS of Arizona, Mrs. BIGGS of South Carolina, Mr. BURCHETT, Mr. FINE, Mr. HARRIS of North Carolina, Mrs. HARSHBARGER, Mrs. MILLER of Illinois, Mr. MOORE of Alabama, Mr. SELF, and Mr. STEUBE) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To prohibit surrogacy agencies from facilitating surrogacy contracts with sex offenders, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Kids from
5 Creeps Act”.

6 **SEC. 2. PROHIBITION.**

7 Chapter 110 of title 18, United States Code, is
8 amended by adding at the end the following:

1 **“§ 2260B. Prohibition on sex offenders obtaining a**
2 **child through surrogacy**

3 “(a) SURROGACY AGENCY.—Whoever, being a
4 surrogacy agency, knowingly or recklessly facilitates a
5 surrogacy agreement in which a party to that agreement
6 is a sex offender shall be—

7 “(1) in the case of an agency acting recklessly,
8 fined under this title and imprisoned not less than
9 10 years; and

10 “(2) in the case of an agency acting knowingly,
11 fined under this title and imprisoned not less than
12 20 years.

13 “(b) EMPLOYEES.—Whoever, being an employee of a
14 surrogacy agency, knowingly facilitates a surrogacy agree-
15 ment in which a party to that agreement is a sex offender
16 shall be fined under this title and imprisoned not less than
17 20 years.

18 “(c) SEX OFFENDER.—Whoever, being a sex of-
19 fender, knowingly enters into a surrogacy agreement shall
20 be fined under this title and imprisoned not less than 20
21 years.

22 “(d) STATUS AS A 501(C)(3) ORGANIZATION.—A
23 surrogacy agency that is convicted of an offense under this
24 section shall be ineligible for status as an exempt organiza-
25 tion under section 501(c)(3) of the Internal Revenue Code
26 of 1984.

1 “(e) FEDERAL FUNDING PROHIBITION.—A
2 surrogacy agency that is convicted of an offense under this
3 section shall be ineligible to receive a Federal grant.

4 “(f) EFFECT OF UNLAWFUL SURROGACY AGREE-
5 MENT.—A surrogacy agreement entered into in violation
6 of this section shall be void and unenforceable.

7 “(g) DEFINITIONS.—In this section:

8 “(1) The term ‘employee of a surrogacy agency’
9 means any individual employed by a surrogacy agen-
10 cy who is not an officer of such agency.

11 “(2) The term ‘sex offender’ means an indi-
12 vidual who is, or at any time was, required to reg-
13 ister under section 113 of the Adam Walsh Child
14 Protection and Safety Act of 2006 (34 U.S.C.
15 20913).

16 “(3) The term ‘surrogacy agency’—

17 “(A) means any entity in the United
18 States that facilitates, arranges, procures, or
19 otherwise assists in the formation or execution
20 of a surrogacy agreement; and

21 “(B) includes any officer of such agency.

22 “(4) The term ‘surrogacy agreement’ means an
23 agreement, contract, or arrangement, without regard
24 to whether it is oral or written or is direct or bro-
25 kered, between 1 or more prospective parents and a

1 surrogate parent, under which the surrogate parent
2 agrees to become pregnant and give birth to a child,
3 and to relinquish all parental rights and responsibil-
4 ities to the prospective parent or parents.

5 “(5) The term ‘surrogate parent’ means a per-
6 son who agrees to become pregnant and give birth
7 to a child, and to relinquish all parental rights and
8 responsibilities to another person under the terms of
9 a surrogacy agreement.”.

10 **SEC. 3. CIVIL ENFORCEMENT.**

11 The Attorney General may bring a civil action in the
12 appropriate United States district court against any per-
13 son who engages in conduct constituting an offense under
14 section 2260B of title 18, United States Code, for a civil
15 penalty that is equal to the amount of compensation which
16 the person received or offered for the prohibited conduct,
17 whichever amount is greater.

18 **SEC. 4. EFFECT OF UNLAWFUL SURROGACY AGREEMENT.**

19 Legal custody of a child born pursuant to a surrogacy
20 agreement that is void and unenforceable under section
21 2260B of title 18, United States Code, shall be decided
22 based on a determination of the best interests of the child
23 under the law of the State where the surrogate parent re-
24 sides, with no effect given to the surrogacy agreement or

- 1 any other purported agreement, contract, or under-
- 2 standing concerning the custody of the child.

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