

REFERENCE TITLE: human embryos; disposition

State of Arizona  
House of Representatives  
Fifty-seventh Legislature  
Second Regular Session  
2026

## **HB 4039**

Introduced by  
Representatives Villegas: Austin, Connolly, Liguori

### **AN ACT**

REPEALING SECTION 25-318.03, ARIZONA REVISED STATUTES; AMENDING TITLE 25, CHAPTER 3, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 25-318.03; RELATING TO HUMAN EMBRYOS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section. 1. Repeal  
3 Section 25-318.03, Arizona Revised Statutes, is repealed.  
4 Sec. 2. Title 25, chapter 3, article 2, Arizona Revised Statutes,  
5 is amended by adding a new section 25-318.03, to read:  
6 25-318.03. Human embryos; disposition; definitions  
7 A. IF A PROCEEDING DESCRIBED IN SECTION 25-318, SUBSECTION A  
8 INVOLVES THE DISPOSITION OF IN VITRO HUMAN EMBRYOS AND THE PARTIES HAVE  
9 ENTERED INTO A WRITTEN AGREEMENT REGARDING THE DISPOSITION OF THE IN VITRO  
10 HUMAN EMBRYOS THAT ARE THE SUBJECT OF THE WRITTEN AGREEMENT, THE COURT  
11 SHALL AWARD THE IN VITRO HUMAN EMBRYOS AS PRESCRIBED IN THE WRITTEN  
12 AGREEMENT.  
13 B. IF THE PARTIES HAVE NOT ENTERED INTO A WRITTEN AGREEMENT  
14 REGARDING THE DISPOSITION OF IN VITRO HUMAN EMBRYOS OR IF THE WRITTEN  
15 AGREEMENT IS UNCLEAR, THE COURT SHALL WEIGH AND BALANCE THE RESPECTIVE  
16 INTEREST OF THE PARTIES AND SHALL AWARD THE IN VITRO HUMAN EMBRYOS BASED  
17 ON THE COURT'S DETERMINATION OF PARTIES' RESPECTIVE INTERESTS.  
18 C. FOR THE PURPOSES OF THIS SECTION:  
19 1. "HUMAN EMBRYO" HAS THE SAME MEANING PRESCRIBED IN SECTION  
20 36-2311.  
21 2. "IN VITRO" HAS THE SAME MEANING PRESCRIBED IN SECTION 36-2311.