

HB 1317 -- ESTABLISHMENT OF PATERNITY

SPONSOR: Ellinger

This bill specifies that failure to timely file an action to establish paternity in a court of competent jurisdiction or file with the putative father registry a notice of intent to claim paternity or an acknowledgment of paternity waives a man's right to withhold consent to an adoption unless the man was led to believe through the mother's misrepresentation or fraud that the mother was not pregnant when in fact she was or the pregnancy was terminated when in fact the child is alive, and the man upon the discovery of the misrepresentation or fraud filed an action to establish paternity in a court of competent jurisdiction or filed with the putative father registry a notice of intent to claim paternity or an acknowledgment of paternity within 60 days of that discovery. Currently, the man only has within 15 days of that discovery to make the appropriate filing.

Extends, from 15 to 60 days, the amount of time a man has after the birth of the child to file an action to establish paternity in a court of competent jurisdiction. If not filed prior to the child's birth, the man has within 60 days of the child's birth to file with the putative father registry a notice of intent to claim paternity or an acknowledgment of paternity.