

HOUSE RESEARCH

Bill Summary

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Overview

This bill modifies certain presumptions related to parentage where there is an assisted reproduction agreement between the parties.

Section

- 1 Parent and child relationship.** Provides that certain provisions in law related to determination of paternity also apply to determinations of maternity.
- 2 Mother's right to custody.** Exempts certain assisted reproduction agreements from the presumption that the biological mother has sole custody of a child until paternity is formally established, if the biological mother was not married to the biological father at the time of birth or conception.
- 3 Presumption.** Adds a new provision to the list of situations in which a man is presumed to be the father of a child. The presumption would apply if the man initiated a pregnancy by means other than intercourse and intended to be the legal parent of the child, pursuant to an express written agreement among all known presumptive parents entered into prior to initiation of the pregnancy.
- 4 Prebirth court actions.** Permits a court to enter a prebirth order or judgment to establish paternity or maternity, if a pregnancy was initiated by a means other than intercourse. Procedures are established for the court to issue such an order without a personal appearance of the parties, if an appropriate petition and stipulation and affidavit are filed.

These proceeds are exempt from background check, guardian ad litem, and certain adoption registry requirements.
- 5 Effective date.** Provides that the bill is effective the day following final enactment, and applies to proceedings commenced or pending on or after that date.