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Overview

This bill standardizes the time for both married and unmarried parents to vacate a recognition of parentage or bring an action for nonpaternity by allowing parties three years from learning the presumed father may not be the father, or from genetic testing proving the presumed father is not the biological father of the child, to file an action. This bill also provides that a paternity or nonpaternity action can be filed any time before a child is 18 when the biological father is known.

Section

- 1** **Actions under section 257.55, subdivision 1, paragraph (a), (b), or (c).** Removes the statute of limitations for bringing an action on paternity cases for married parents and other parents from three years after the child's birth and replaces it with three years from the time the person bringing the action has reason to believe the presumed father is not the father of the child.
- 2** **Actions under other paragraphs of section 257.55, subdivision 1.** Provides that in situations where the parents are not married a person can bring an action to declare nonpaternity within three years of having genetic testing which proves the presumed father is not the father, an increase over the current law which requires an action be filed within six months.
- 3** **Actions brought against potential fathers.** Allows an action to declare paternity or nonpaternity at any time before a child turns 18 when the party can prove by genetic testing that another man is the father and that man can be found and made a party to the case.

Section

- 4** **Action to vacate recognition.** Allows a person to vacate a recognition of parentage within three years of obtaining blood or genetic testing proving the man who executed a recognition of parentage is not the father of the child, which is an increase over current law which requires an action to be filed within six months.