

ARTICLE 3

VOLUNTARY ACKNOWLEDGMENT OF ~~PATERNITY~~PARENTAGE

SECTION 301. ACKNOWLEDGMENT OF ~~PATERNITY~~PARENTAGE.

The ~~mother of~~woman who gave birth to a child and an ~~an~~ man-individual claiming to be the alleged genetic father, [intended parent,] [or presumed parent] of the child may sign an acknowledgment of ~~paternity~~parentage with intent to establish the ~~man~~child's ~~paternity~~parentage.

SECTION 302. EXECUTION OF ACKNOWLEDGMENT OF ~~PATERNITY~~PARENTAGE.

(a) An acknowledgment of ~~paternity~~parentage must:

(1) be in a record;

(2) be signed, or otherwise authenticated, under penalty of perjury by the ~~mother~~woman who gave birth and by the ~~man~~individual seeking to establish his or her ~~paternity~~parentage;

(3) state that the child whose ~~paternity~~parentage is being acknowledged:

(A) does not have a presumed ~~father~~parent, or has a presumed ~~father~~parent whose full name is stated; and

(B) does not have another acknowledged or adjudicated ~~father~~parent or parents under [Article] 7 other than the woman who gave birth;

(4) ~~state whether there has been genetic testing and, if so, that the~~
~~acknowledging man~~parent's claim of paternity parentage is consistent
~~with the results of the testing;~~ and

(5) state that the signatories understand that the acknowledgment is the equivalent of an ~~an judicial~~ adjudication of ~~paternity parentage~~ of the child and that a challenge to the acknowledgment is permitted only under limited circumstances and is barred after two years.

(b) An acknowledgment of ~~paternity parentage~~ is void if ~~it~~:

(1) ~~states that another man is a presumed father~~ another individual is a presumed parent at the time of signing, unless a denial of ~~paternity parentage~~ signed or otherwise authenticated by the presumed ~~father~~ parent is filed with the [agency maintaining birth records]; ~~or~~

~~(2) states that another man~~ an individual other than the woman who gave birth is an acknowledged or adjudicated ~~father~~ parent; ~~or~~

~~(3) (2) falsely denies the existence of a presumed, acknowledged, or adjudicated father of the child.~~

~~(c) — A presumed father may sign or otherwise authenticate an acknowledgement of paternity.~~

SECTION 303. DENIAL OF ~~PATERNITY PARENTAGE~~. A presumed ~~father~~ parent may sign a denial of ~~his paternity parentage~~. The denial is valid only if:

(1) an acknowledgment of ~~paternity parentage~~ signed, or otherwise authenticated, by another ~~man~~ individual is filed pursuant to Section 305;

(2) the denial is in a record, and is signed, or otherwise authenticated, under penalty of perjury; and

(3) the presumed ~~father~~ parent has not previously:

- (A) acknowledged his or her paternityparentage, unless the previous acknowledgment has been rescinded pursuant to Section 307308 or successfully challenged pursuant to Section -308309; or
- (B) been adjudicated to be the father-parent of the child.

SECTION 304. RULES FOR ACKNOWLEDGMENT AND DENIAL OF PATERNITYPARENTAGE.

- (a) An acknowledgment of paternity-parentage and a denial of paternity-parentage may be contained in a single document or may be signed in counterparts, and may be filed separately or simultaneously. If the acknowledgment and denial are both necessary, neither is valid until both are filed.
- (b) An acknowledgment of paternity-parentage or a denial of paternity-parentage may be signed before the birth of the child.
- (c) Subject to subsection (a), an acknowledgment of paternity-parentage or denial of paternity-parentage takes effect on the birth of the child or the filing of the document with the [agency maintaining birth records], whichever occurs later.
- (d) An acknowledgment of paternity-parentage or denial of paternity-parentage signed by a minor is valid if it is otherwise in compliance with this [Act].

SECTION 305. EFFECT OF ACKNOWLEDGMENT OR DENIAL OF PATERNITYPARENTAGE.

(a) Except as otherwise provided in Sections ~~307308~~ and ~~308309~~, a valid acknowledgment of ~~paternity parentage~~ filed with the [agency maintaining birth records] is equivalent to an adjudication of ~~paternity parentage~~ of a child and confers upon the acknowledged ~~father-parent~~ all of the rights and duties of a parent.

(b) Except as otherwise provided in Sections ~~307308~~ and ~~308309~~, a valid denial of ~~paternity parentage~~ by a presumed ~~father-parent~~ filed with the [agency maintaining birth records] in conjunction with a valid acknowledgment of ~~paternity parentage~~ is equivalent to an adjudication of the ~~nonpaternity nonparentage~~ of the presumed ~~father-parent~~ and discharges the presumed ~~father-parent~~ from all rights and duties of a parent.

SECTION 306. NO FILING FEE. The [agency maintaining birth records] may not charge for filing an acknowledgment of ~~paternity parentage~~ or denial of parentage.

SECTION ~~310307~~. RATIFICATION BARRED. A court or administrative agency conducting a judicial or administrative proceeding is not required or permitted to ratify an unchallenged acknowledgment of ~~paternity parentage~~.

SECTION ~~3078~~. PROCEEDING FOR RESCISSION. A signatory may rescind an acknowledgment of ~~paternity parentage~~ or denial of ~~paternity parentage~~ ~~by commencing a proceeding to rescind~~ before the earlier of:

- (1) 60 days after the effective date of the acknowledgment or denial, as provided in Section 304; or

- (2) the date of the first hearing, in a proceeding to which the signatory is a party, before a court to adjudicate an issue relating to the child, including a proceeding that establishes support.

SECTION 30~~89~~. CHALLENGE AFTER EXPIRATION OF PERIOD FOR RESCISSION.

- (a) After the period for rescission under Section 30~~78~~ has expired, a signatory of an acknowledgment of ~~paternity parentage~~ or denial of ~~paternity parentage~~ may commence a proceeding to challenge the acknowledgment or denial only:
- (1) on the basis of fraud, duress, or material mistake of fact; and
 - (2) ~~within not later than~~ two years after the ~~effective date of the~~ acknowledgment or ~~the~~ denial ~~is filed with the [agency maintaining birth records]~~.
- (b) A party challenging an acknowledgment of ~~paternity parentage~~ or denial of ~~paternity parentage~~ has the burden of proof.

SECTION 30~~9~~10. PROCEDURE FOR ~~RESCISSION OR~~ CHALLENGE.

- (a) Every signatory to an acknowledgment of ~~paternity parentage~~ and any related denial of ~~paternity parentage~~ must be made a party to a proceeding to ~~rescind or~~ challenge the acknowledgment or denial.
- (b) For the purpose of ~~rescission of, or a~~ challenge to, an acknowledgment of ~~paternity parentage~~ or denial of ~~paternity parentage~~, a signatory submits to personal jurisdiction of this ~~S~~state by signing the acknowledgment or

denial, effective upon the filing of the document with the [agency maintaining birth records].

- (c) Except for good cause shown, during the pendency of a proceeding to rescind or challenge an acknowledgment of ~~paternity-parentage~~ or denial of ~~paternity-parentage~~, the court may not suspend the legal responsibilities of a signatory arising from the acknowledgment, including the duty to pay child support.
- (d) A proceeding to ~~rescind or to~~ challenge an acknowledgment of ~~paternity-parentage~~ or denial of ~~paternity-parentage~~ must be conducted in the same manner as a proceeding to adjudicate parentage under [Article] 6.
- (e) At the conclusion of a proceeding to ~~rescind or~~ challenge an acknowledgment of ~~paternity-parentage~~ or denial of ~~paternity-parentage~~, the court shall order the [agency maintaining birth records] to amend the birth record of the child to reflect the child's legal parentage accurately, if appropriate.

~~**SECTION 310. RATIFICATION BARRED.** A court or administrative agency conducting a judicial or administrative proceeding is not required or permitted to ratify an unchallenged acknowledgment of paternity.~~

SECTION 311. FULL FAITH AND CREDIT. A court of this ~~Ss~~state shall give full faith and credit to an acknowledgment of ~~paternity-parentage~~ or denial of ~~paternity-parentage~~ effective in another ~~Ss~~state if the acknowledgment or denial has been signed and is otherwise in compliance with the law of the other ~~Statestate~~.

SECTION 312. FORMS FOR ACKNOWLEDGMENT AND DENIAL OF PATERNITY PARENTAGE.

(a) To facilitate compliance with this [article], the [agency maintaining birth records] shall prescribe forms for the acknowledgment of ~~paternity~~ parentage and denial of ~~paternity~~ parentage.

(b) A valid acknowledgment of ~~paternity~~ or denial of ~~paternity~~ parentage is not affected by a later modification of the prescribed form.

SECTION 313. RELEASE OF INFORMATION. The [agency maintaining birth records] may release information relating to the acknowledgment ~~of~~ ~~paternity~~ or denial of ~~paternity~~ parentage to a signatory of the acknowledgment or denial and to courts and [appropriate state or federal agencies] of this or another ~~S~~state.

SECTION 314. ADOPTION OF RULES. The [agency maintaining birth records] may adopt rules to implement this [article].]