

HB 581 -- Establishment of Paternity

Sponsor: Pratt

This bill makes various changes to the laws regarding the putative father registry and adoption. In its major provisions, the bill:

(1) States that lack of knowledge of pregnancy is not an excuse for a putative father's failure to file with the putative father registry in a timely manner. However, failure to file with the putative father registry does not waive a man's right to withhold consent in an adoption proceeding if the man is led to believe through the mother's misrepresentation or fraud that the mother was not pregnant and she was; that the pregnancy was terminated and the baby was born; or that the child died after birth and the child is alive; and that the man satisfied the registration requirements for the putative father registry within 15 days of discovering the misrepresentation or fraud;

(2) Specifies additional information that must be included in the putative father registry publications and pamphlets currently produced by the Department of Health and Senior Services, including a registration card that a putative father can send in to the registry;

(3) Adds a \$5 filing fee to petitions for adoption for the purpose of funding the putative father registry;

(4) Removes current law that requires the consent form for an adoption to include a statement that the birth parent has identified all possible fathers of the child unless the mother has good cause not to identify a possible father; acknowledge that those having an interest in the child have been provided all available information to assist in locating all possible fathers; and that the birth parent understands that if he denies paternity but consents to the adoption, he has waived any future interest in the child;

(5) Removes the current requirement for service of a petition for adoption to be made by publication on "John Doe" when the putative father is unknown;

(6) Requires a search of the putative father registry of Missouri and any other state where conception may have occurred and requires any man who has filed or been registered with the registry to be served the petition for adoption;

(7) Requires a statement that a man has been named as a potential father of a child to be mailed to the last known

address of each man named in an adoption petition as a potential father by a birth mother; and

(8) States that any man who has engaged in sexual intercourse is deemed to have notice that a child may be conceived as a result of sexual intercourse.