

SECOND REGULAR SESSION

HOUSE BILL NO. 2083

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GRILL.

4873L.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 193.087, RSMo, and to enact in lieu thereof one new section relating to acknowledgments of paternity.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 193.087, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 193.087, to read as follows:

193.087. 1. In addition to the requirements of subsection 2 of section 193.085, when a birth occurs to an unmarried mother, whether in an institution or en route to an institution, the person in charge of the institution or a designated representative shall:

(1) Provide a form or affidavit prescribed by the state registrar that may be completed by the child's mother and father to voluntarily acknowledge paternity of the child pursuant to section 193.215;

(2) File the form, when completed, along with the certificate required by this section.

Such completed form for the voluntary acknowledgment of paternity is not a public record; except that, a copy of such voluntary acknowledgment of paternity shall, upon request, be made available to the child's mother, the father listed on the child's birth record, the attorney representing such mother or father, the child, the guardian ad litem, and the child's attorney and the state and federal government for child support purposes. Upon payment of the fee established by rule by the department under section 454.455, RSMo, a copy of such voluntary acknowledgment of paternity shall be provided by the state registrar to the child's mother, the father listed on the child's birth record, the attorney representing such mother or alleged father, the child, the guardian ad litem, and the child's attorney, and the state and federal government for child support purposes; and

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (3) Provide oral and written notice to the affiant required by section 193.215.

19 2. Any institution, the person in charge or a designated representative shall be immune
20 from civil or criminal liability for providing the form or affidavit required by subsection 1 of this
21 section, the information developed pursuant to that subsection, or otherwise fulfilling the duties
22 required by subsection 1 of this section.

23 3. The family support division may contract with the department of health and senior
24 services to provide assistance and training to the hospital staff assigned responsibility for
25 providing the information, as appropriate, to carry out duties pursuant to this section. The family
26 support division shall develop and distribute free of charge the information on the rights and
27 responsibilities of parents that is required to be distributed pursuant to this section. The
28 department of health and senior services shall provide free of charge to hospitals the
29 acknowledgment of paternity affidavit, and instructions on the completion of the affidavit.

30 4. If no contract is developed with the department of health and senior services, then the
31 family support division shall provide the assistance and training activities to hospitals pursuant
32 to subsection 3 of this section.

33 5. Any affiant who intentionally misidentifies another person as a parent may be
34 prosecuted for perjury, pursuant to section 575.040, RSMo.

35 6. Due to lack of cooperation by public assistance recipients, the family support division
36 shall either suspend the entire public assistance cash grant, or remove the needs of the adult
37 recipient of public assistance from the cash grant, subject to good cause exceptions pursuant to
38 federal law or regulations.

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