

FIRST REGULAR SESSION

# HOUSE BILL NO. 281

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE PROUDIE.

1230H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 454, RSMo, by adding thereto one new section relating to child support obligations for unborn children.

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

Section A. Chapter 454, RSMo, is amended by adding thereto one new section, to be  
2 known as section 454.488, to read as follows:

**454.488. 1. As used in this section, the following terms mean:**

2 (1) "Putative father", the alleged or presumed father of a child, including a  
3 person who has filed a notice of intent to claim paternity with the putative father  
4 registry established under section 192.016 and a person who has filed a voluntary  
5 acknowledgment of paternity under section 193.087;

6 (2) "Unborn child", the offspring of human beings from the moment of  
7 conception until birth and at every stage of biological development, including the human  
8 conceptus, zygote, morula, blastocyst, embryo, and fetus.

9 2. A putative father, or a biological father if paternity has been established, may  
10 be obligated to make child support payments for an unborn child if the mother of the  
11 child petitions the court for child support within two years of the child's birth and  
12 requests that support payments include the months the mother was pregnant with the  
13 child. If paternity is disputed, a biological father owes no duty under this section until  
14 the biological father's paternity is established.

15 3. Child support obligations shall begin six weeks from conception, as  
16 determined by the mother's physician. Payments for such obligations may be

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.

17 retroactively collected or awarded, including in the case in which paternity is  
18 established subsequent to the birth of the child.

19       **4. The payment amount for such obligations shall be determined by a court, in**  
20 **consultation with the mother, taking into account the best interests of the mother and**  
21 **child.**

22       **5. If, after the child is born, paternity is established to belong to someone other**  
23 **than the putative father, the putative father may bring a cause of action against the**  
24 **actual father for reimbursement of any child support paid by the putative father under**  
25 **this section.**

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