

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 HOUSE BILL 2913

By: Morrissette

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6 AS INTRODUCED

7 An Act relating to children; amending 10 O.S. 2011,
8 Section 7700-102, which relates to the Uniform
9 Parentage Act; modifying certain definition; and
10 providing an effective date.

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 10 O.S. 2011, Section 7700-102, is
13 amended to read as follows:

14 Section 7700-102. For purposes of the Uniform Parentage Act:

15 1. "Acknowledged father" means a man who has established a
16 father-child relationship by signing an acknowledgment of paternity
17 under Article 3 of the Uniform Parentage Act;

18 2. "Adjudicated father" means a man who has been adjudicated by
19 a court of competent jurisdiction to be the father of a child;

20 3. "Alleged father" means a man who alleges himself to be, or
21 is alleged to be, the genetic father or a possible genetic father of
22 a child, but whose paternity has not been determined. The term does
23 not include a presumed father;

1 4. "Child" means an individual of any age whose parentage may
2 be determined under the Uniform Parentage Act;

3 5. "Determination of parentage" means the establishment of the
4 parent-child relationship by the signing of an acknowledgment of
5 paternity under this section or adjudication by the court;

6 6. "Duress" means use of physical or psychological force to
7 coerce a person to sign an acknowledgment of paternity;

8 7. "Effective date" means when the acknowledgment of paternity
9 is fully executed, by the later of the signature dates;

10 8. "Ethnic or racial group" means, for purposes of genetic
11 testing, a recognized group that an individual identifies as all or
12 part of the individual's ancestry or that is so identified by other
13 information;

14 9. "Fraud" means an intentional misrepresentation of a material
15 fact that could not have been discovered with reasonable diligence
16 and was reasonably relied on by a person who signed an
17 acknowledgment of paternity;

18 10. "Genetic testing" means an analysis of genetic markers to
19 exclude or identify a man as the father or a woman as the mother of
20 a child. The term includes an analysis of one or a combination of
21 the following:

22 a. deoxyribonucleic acid, and
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1 b. blood-group antigens, red-cell antigens, human-
2 leukocyte antigens, serum enzymes, serum proteins, ~~or~~
3 red-cell enzymes, or fetal cells in maternal plasma;

4 11. "Man" means a male individual of any age;

5 12. "Material mistake of fact" means a mistake as to the facts
6 that could not have been known at the time a signatory executed an
7 acknowledgment of paternity;

8 13. "Parent" means an individual who has established a parent-
9 child relationship under Section ~~5~~ 7700-201 of this ~~act~~ title;

10 14. "Parent-child relationship" means the legal relationship
11 between a child and a parent of the child. The term includes the
12 mother-child relationship and the father-child relationship;

13 15. "Paternity index" means the likelihood of paternity
14 calculated by computing the ratio between:

15 a. the likelihood that the tested man is the father,
16 based on the genetic markers of the tested man,
17 mother, and child, conditioned on the hypothesis that
18 the tested man is the father of the child, and

19 b. the likelihood that the tested man is not the father,
20 based on the genetic markers of the tested man,
21 mother, and child, conditioned on the hypothesis that
22 the tested man is not the father of the child and that
23 the father is of the same ethnic or racial group as
24 the tested man;

1 16. "Presumed father" means a man who, by operation of law
2 under Section § 7700-204 of this ~~act~~ title, is recognized as the
3 father of a child until that status is rebutted or confirmed in a
4 judicial proceeding;

5 17. "Probability of paternity" means the measure, for the
6 ethnic or racial group to which the alleged father belongs, of the
7 probability that the man in question is the father of the child,
8 compared with a random, unrelated man of the same ethnic or racial
9 group, expressed as a percentage incorporating the paternity index
10 and a prior probability;

11 18. "Record" means information that is inscribed on a tangible
12 medium or that is stored in an electronic or other medium and is
13 retrievable in perceivable form;

14 19. "Signatory" means an individual who authenticates a record
15 and is bound by its terms; and

16 20. "State" means a State of the United States, the District of
17 Columbia, Puerto Rico, the United States Virgin Islands, or any
18 territory or insular possession subject to the jurisdiction of the
19 United States.

20 SECTION 2. This act shall become effective November 1, 2012.

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22 53-2-8928 GRS 01/15/12

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