

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 1980

By: Jordan

COMMITTEE SUBSTITUTE

An Act relating to children; amending 10 O.S. 2011, Section 7700-607, as amended by Section 1, Chapter 96, O.S.L. 2014 (10 O.S. Supp. 2016, Section 7700-607), which relates to the Uniform Parentage Act; adding exception to limitations of paternity actions; and providing an effective date.

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

SECTION 1. AMENDATORY 10 O.S. 2011, Section 7700-607, as amended by Section 1, Chapter 96, O.S.L. 2014 (10 O.S. Supp. 2016, Section 7700-607), is amended to read as follows:

Section 7700-607. A. Except as otherwise provided in subsection B, C or D of this section, a proceeding brought by a presumed father, the mother, or another individual to adjudicate the parentage of a child having a presumed father shall be commenced not later than two (2) years after the birth of the child.

B. A proceeding seeking to disprove the father-child relationship between a child and the child's presumed father may be maintained at any time in accordance with Section 7700-608 of this

1 title if the court, prior to an order disproving the father-child
2 relationship, determines that:

3 1. The presumed father and the mother of the child neither
4 cohabited nor engaged in sexual intercourse with each other during
5 the probable time of conception; and

6 2. The presumed father never openly held out the child as his
7 own.

8 C. A proceeding seeking to disprove the father-child
9 relationship between a child and the child's presumed or
10 acknowledged father may be maintained at any time if the court
11 determines that the biological father, presumed or acknowledged
12 father, and the mother agree to adjudicate the biological father's
13 parentage in accordance with Sections 7700-608 and 7700-636 of this
14 title. If the presumed or acknowledged father or mother is
15 unavailable, the court may proceed if it is determined that diligent
16 efforts have been made to locate the unavailable party and it would
17 not be prejudicial to the best interest of the child to proceed
18 without that party. In a proceeding under this section, the court
19 shall enter an order either confirming the existing father-child
20 relationship or adjudicating the biological father as the parent of
21 the child. A final order under this subsection shall not leave the
22 child without an acknowledged or adjudicated father.

23 D. A proceeding seeking to disprove the father-child
24 relationship between a child and the child's presumed or

1 acknowledged father may be maintained at any time in accordance with
2 Section 7700-608 of this title if the court determines that the
3 mother committed fraud and genetic testing shows the child is not
4 biologically related to the presumed or acknowledged father.

5 SECTION 2. This act shall become effective November 1, 2017.

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