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IN THE SENATE

BY THE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

SENATE BILL NO. 154

IN THE LEGISLATURE OF THE STATE OF ALASKA

FIRST LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to legitimation and substitute birth certificates; repealing and reenacting Sec. 21-3-3, ACLA 1949, as amended by Ch. 57, SLA 1951, as amended by Ch. 115, SLA 1957."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

Section 1. Sec. 21-3-3, ACLA 1949, as amended by Ch. 57, SLA 1951, as amended by Ch. 115, SLA 1957, is repealed and reenacted to read as follows:

Section 21-3-3. LEGITIMATION BY SUBSEQUENT MARRIAGE, BY ACKNOWLEDGEMENT IN WRITING, BY ADJUDICATION: SUBSTITUTE BIRTH CERTIFICATE. Every child born out of wedlock heretofore or hereafter, shall be legitimated and considered the heir of the father who (1) shall subsequently intermarry with the mother of the child; or (2) shall in writing acknowledge his paternity of the child; or (3) shall be adjudged to be the father by a superior court, upon sufficient evidence and in accordance with the laws and rules of procedure which may be applicable. Acceptable evidence includes, but is not limited to, evidence that the alleged father so conducts and bears himself toward the child, either by word or act as to give rise to the general belief in the community that the child is his, and such conduct and general belief may be construed by the court to constitute evidence of

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paternity. Extrinsic evidence may be employed by the court to show intent when indefinite, ambiguous, or uncertain terms are used.

The Bureau of Vital Statistics, as custodian of the original certificates of birth of all persons born in Alaska, is hereby designated as the depository for such acknowledgments and adjudications, which shall be forwarded to the bureau in accordance with appropriate regulations of the bureau, and shall be noted on and filed with the corresponding original certificate of birth.

In case of the Alaska birth of any child out of wedlock, heretofore or hereafter, and the legitimation thereof has been established pursuant to this Act, then at the written request of the parents, or either of them or of the legal guardian, or of the person himself when of legal age, the Bureau of Vital Statistics shall prepare and place on file a substitute birth certificate, in accordance with the laws and regulations of the bureau pertaining to such new certificates.