

**CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 128(FIN)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**EIGHTEENTH LEGISLATURE - SECOND SESSION**

**BY THE HOUSE FINANCE COMMITTEE**

**Offered: 2/11/94**

**Referred: Rules**

**Sponsor(s): REPRESENTATIVES B.DAVIS, Toohey**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to paternity determinations and acknowledgements."**

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

3 **\* Section 1. AS 18.50 is amended by adding a new section to read:**

4 **Sec. 18.50.165. ACKNOWLEDGEMENT OF PATERNITY; FORMS. (a)**

5 **The state registrar shall prepare a form for use in acknowledging paternity under**

6 **AS 25.20.055. The form must include**

7 **(1) a statement that the man who signs the form is acknowledging that**

8 **the man is the natural father of the child named in the form and that the man assumes**

9 **the parental duty of support of that child;**

10 **(2) the address and social security number of both parents of the child**

11 **named in the form;**

12 **(3) signature lines for both parents; and**

13 **(4) a signature line for either a witness or notary public.**

14 **(b) The registrar shall distribute copies of the form prepared under (a) of this**

1 section to each hospital in the state, to each physician in the state whose practice  
2 includes attendance at births, to each nurse-midwife and direct-entry midwife in the  
3 state, and to each other interested person in the state who requests copies of the form.

4 (c) A completed form prepared under (a) of this section is presumptive  
5 evidence of a parent and child relationship between the man signing the form and the  
6 child named in the form if the form is signed by the man and the child's natural  
7 mother and witnessed by a person qualified to take acknowledgements under  
8 AS 09.63.010 or other competent adult witness.

9 (d) The state registrar shall keep on file all forms acknowledging paternity that  
10 are submitted to the registrar under AS 25.20.055.

11 \* Sec. 2. AS 25.20.050 is amended by adding new subsections to read:

12 (g) A default judgment shall be entered against the defendant in an action  
13 where paternity is contested upon

14 (1) a showing that process was served on the defendant as required  
15 under applicable state law and court rules;

16 (2) a showing that the defendant has failed to appear at a hearing in the  
17 action or has failed to respond within a reasonable period of time as specified in court  
18 rules; and

19 (3) any additional showing determined necessary by the court.

20 (h) The court in a paternity action shall give full faith and credit to a  
21 determination of paternity made by another state, whether established through  
22 voluntary acknowledgment or through administrative or judicial procedures.

23 \* Sec. 3. AS 25.20 is amended by adding a new section to read:

24 Sec. 25.20.055. EARLY ACKNOWLEDGEMENT OF PATERNITY  
25 PROGRAM. (a) When a birth occurs to an unmarried woman in a hospital or en  
26 route to a hospital to which the woman is later admitted, the hospital shall ensure that  
27 a staff member

28 (1) meets with the woman before release from the hospital;

29 (2) attempts to meet with the father of the unmarried woman's child,  
30 if possible;

31 (3) presents to the mother and, if possible, the father, a pamphlet or

1 statement regarding the rights and responsibilities of a natural parent; the Department  
2 of Health and Social Services shall prepare this pamphlet and distribute copies of it  
3 to each hospital in the state, to each physician in the state whose practice includes  
4 attendance at births, to each nurse-midwife and direct-entry midwife in the state, and  
5 to other interested persons in the state who request copies;

6 (4) provides to the mother and, if possible, the father, all forms,  
7 statements, or agreements necessary to voluntarily establish a parent and child  
8 relationship, including an acknowledgement of paternity form prepared under  
9 AS 18.50.165;

10 (5) on request of the mother and father, assists the father in completing  
11 specific forms, statements, or agreements necessary to establish a parent and child  
12 relationship between the father and the child; and

13 (6) on request of the mother and father, mails a completed voluntary  
14 acknowledgement of paternity form to the state registrar for filing under AS 18.50.165.

15 (b) When a birth occurs to an unmarried woman who is not in a hospital for  
16 the birth nor admitted to a hospital immediately after the birth, and the birth is  
17 attended by a physician, nurse-midwife, or direct-entry midwife, the physician, nurse-  
18 midwife, or direct-entry midwife shall perform the duties described in (a)(2) - (6) of  
19 this section or ensure that an agent performs those duties.

20 (c) When a birth occurs in a situation that is not covered by either (a) or (b)  
21 of this section, any adult may, upon request of the father and mother, assist them in  
22 filing a voluntary acknowledgement of paternity form with the state registrar under  
23 AS 18.50.165.

24 \* Sec. 4. AS 25.27.040 is amended by adding a new subsection to read:

25 (c) When the agency is a party in an action in which paternity is contested, the  
26 agency shall move for a default judgment in a case that meets the conditions specified  
27 in AS 25.20.050(g).