

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 HOUSE BILL 2270

 By: West (Josh)

7 AS INTRODUCED

8 An Act relating to children; amending 10 O.S. 2011,
9 Section 7700-607, as amended by Section 1, Chapter
10 96, O.S.L. 2014 (10 O.S. Supp. 2018, Section 7700-
11 607), which relates to the Uniform Parentage Act;
 adding exception to limitations of paternity actions;
 and providing an effective date.

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

15 SECTION 1. AMENDATORY 10 O.S. 2011, Section 7700-607, as
16 amended by Section 1, Chapter 96, O.S.L. 2014 (10 O.S. Supp. 2018,
17 Section 7700-607), is amended to read as follows:

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

23 B. A proceeding seeking to disprove the father-child
24 relationship between a child and the child's presumed father may be

1 maintained at any time in accordance with Section 7700-608 of this
2 title if the court, prior to an order disproving the father-child
3 relationship, determines that:

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

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

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

1 D. A proceeding seeking to disprove the father-child
2 relationship between a child and the child's presumed or
3 acknowledged father may be maintained at any time in accordance with
4 Section 7700-608 of this title if the court determines that the
5 mother committed fraud and genetic testing shows the child is not
6 biologically related to the presumed or acknowledged father.

7 SECTION 2. This act shall become effective November 1, 2019.

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9 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/13/2019 - DO
10 PASS.