
ASSEMBLY BILL NO. 229—ASSEMBLYWOMAN COHEN

MARCH 10, 2021

JOINT SPONSOR: SENATOR OHRENSCHALL

Referred to Committee on Judiciary

SUMMARY—Makes various changes relating to parentage.
(BDR 11-15)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to parentage; adopting provisions of the Uniform Parentage Act; revising provisions relating to the establishment of a parent and child relationship and the presumption of parentage; establishing provisions concerning the voluntary acknowledgment of parentage and denial of parentage by certain persons; authorizing the State Board of Health to adopt regulations relating to an acknowledgment of parentage or denial of parentage; establishing provisions governing genetic testing in proceedings to adjudicate parentage; establishing and revising various provisions relating to proceedings to adjudicate parentage; authorizing a person who claims to be a de facto parent of a child to be adjudicated as a parent of the child in certain circumstances; authorizing a court to adjudicate a child to have more than two parents in certain circumstances; establishing and revising provisions relating to assisted reproduction and gestational agreements; repealing various provisions relating to parentage; providing a penalty; and providing other matters properly relating thereto.



Legislative Counsel's Digest:

1 Existing law sets forth provisions governing parentage and the establishment of
2 parent and child relationships. (Chapter 126 of NRS) **Sections 29-92** of this bill
3 generally replace such provisions with provisions of the Uniform Parentage Act
4 (hereinafter "UPA"), adopted by the Uniform Law Commission in 2017. **Sections**
5 **4-28** of this bill define terms for the purposes of chapter 126 of NRS that are
6 modeled after the definitions of the terms used in the UPA.

7 Existing law provides the manners in which the legal relationship of a mother
8 and child can be established, including: (1) except in the case of a gestational
9 agreement, proof that a woman gave birth to a child; (2) an adjudication that a
10 woman is the mother of a child; (3) proof that a woman has adopted a child; (4) an
11 un rebutted presumption of a woman's maternity; (5) the consent of a woman to
12 assisted reproduction that resulted in the birth of a child; or (6) an adjudication
13 confirming a woman as a parent of a child born to a gestational carrier. (NRS
14 126.041) Existing law also provides the manners in which the legal relationship of
15 a father and child can be established, including: (1) an adjudication that a man is
16 the father of a child; (2) proof that a man has adopted a child; (3) the consent of a
17 man to assisted reproduction that resulted in the birth of a child; (4) an adjudication
18 confirming a man as a parent of a child born to a gestational carrier; (5) a
19 presumption of paternity that arises if a man was married to or cohabiting with the
20 natural mother of a child or resides with and holds out a child as his natural child;
21 (6) genetic testing establishing a man as the father of a child; or (7) a voluntary
22 acknowledgment of paternity by a man. (NRS 126.041, 126.051, 126.053) **Section**
23 **35** of this bill uses the gender-neutral language of the UPA to set forth the
24 circumstances in which a parent and child relationship is established between a
25 person and a child. Similarly, **section 38** of this bill uses the gender-neutral
26 language of the UPA to establish the circumstances in which a person is presumed
27 to be a parent of a child.

28 **Sections 39-52** of this bill adopt provisions of the UPA relating to the voluntary
29 acknowledgment or voluntary denial of parentage by certain persons, including
30 provisions relating to the requirements for, rescission of and challenge to an
31 acknowledgment of parentage or denial of parentage. **Section 43** of this bill
32 provides that, unless an acknowledgment of parentage or denial of parentage is
33 rescinded or challenged, such an acknowledgment of parentage or denial of
34 parentage that meets all requirements of law and is filed with the State Registrar of
35 Vital Statistics is equivalent to an adjudication of the parentage of a child or the
36 nonparentage of a person, respectively. **Section 44** of this bill prohibits the State
37 Registrar of Vital Statistics from charging a fee for filing an acknowledgment of
38 parentage or denial of parentage, and **section 52** of this bill authorizes the State
39 Board of Health to adopt any necessary regulations relating to an acknowledgment
40 of parentage or denial of parentage.

41 Existing law provides that in an action to determine paternity, a court is
42 authorized or required, depending on the circumstances, to order genetic testing of
43 a mother, child, alleged father or any other person. (NRS 126.121) **Sections 53-69**
44 of this bill adopt various provisions of the UPA concerning genetic testing,
45 including: (1) the limitation on the use of genetic testing; (2) the authority to order
46 or deny genetic testing; (3) the requirements of genetic testing; (4) reports and costs
47 of genetic testing; (5) additional genetic testing when a result is contested; (6)
48 genetic testing when a specimen is not available from an alleged genetic parent; and
49 (7) genetic testing of a deceased person or identical sibling. **Section 69** of this bill
50 provides that a person commits a misdemeanor if, without proper authority, he or
51 she intentionally releases an identifiable specimen of another person collected for
52 genetic testing for a purpose not relevant to a proceeding regarding parentage.

53 Existing law establishes various provisions relating to an action to determine
54 paternity or maternity. (NRS 126.071-126.231) **Sections 70-90** of this bill replace



55 several of those provisions with provisions of the UPA governing proceedings to
56 adjudicate parentage. Existing law provides that if an action to determine paternity
57 is brought before the birth of a child, all proceedings are generally required to be
58 stayed until after the birth of the child. (NRS 126.071) **Section 85** of this bill
59 instead authorizes a proceeding to adjudicate parentage to be commenced and an
60 order or judgment to be entered before the birth of a child, but requires enforcement
61 of the order or judgment to be stayed until after the birth of the child.

62 Existing law does not bar an action to determine paternity until 3 years after a
63 child reaches the age of majority. (NRS 126.081) **Sections 76 and 77** of this bill
64 instead provide that a proceeding to determine whether an alleged genetic parent or
65 presumed parent, respectively, is a parent of a child may be commenced after the
66 child becomes an adult if the child initiates the proceeding.

67 Existing law requires that an informal hearing be held after an action to
68 determine paternity has been brought and further requires a court to attempt to
69 resolve the issues raised in the action during the pretrial hearing. (NRS 126.111)
70 **Section 131** of this bill repeals the provisions relating to such a pretrial hearing, as
71 the UPA does not require any such pretrial hearing to be conducted.

72 **Section 78** of this bill authorizes a person who claims to be a de facto parent of
73 a child to commence a proceeding to establish parentage of the child if the child is
74 alive and less than 18 years of age. **Section 78** provides that a person who claims to
75 be a de facto parent of a child must be adjudicated as a parent of the child if there is
76 only one other person who is a parent or has a claim to parentage of the child and
77 the person who claims to be a de facto parent can demonstrate certain facts by clear
78 and convincing evidence. **Section 82** of this bill authorizes a court to adjudicate a
79 child to have more than two parents if the court finds that failure to recognize more
80 than two parents would be detrimental to the child.

81 Existing law establishes provisions concerning assisted reproduction and
82 gestational surrogacy. (NRS 126.500-126.810) This bill adopts only certain
83 provisions of the UPA relating to such matters. **Section 93** of this bill establishes
84 provisions relating to the parental status of certain persons who die before a child is
85 conceived by assisted reproduction. **Section 94** of this bill authorizes a party to a
86 gestational agreement to terminate the agreement at any time before an embryo
87 transfer or, if an embryo transfer does not result in pregnancy, at any time before a
88 subsequent embryo transfer.

89 Existing law provides that the subsequent marriage or domestic partnership of a
90 gestational carrier after she executes a gestational agreement does not affect the
91 validity of the agreement. (NRS 126.770) **Section 104** of this bill provides that the
92 subsequent marriage, domestic partnership or divorce of any party to a gestational
93 agreement does not affect the validity of the agreement unless the agreement
94 expressly provides otherwise.

95 Existing law provides that if a gestational carrier breaches a gestational
96 agreement, a specific performance remedy that would require the gestational carrier
97 to be impregnated is prohibited. (NRS 126.780) **Section 106** of this bill additionally
98 provides that a specific performance remedy that would require the gestational
99 carrier to terminate a pregnancy or submit to medical procedures is prohibited.

100 **Section 131** repeals provisions of existing law that are not necessary because of
101 the adoption of the provisions of the UPA in **sections 29-92**.

102 **Sections 95-104, 107-128 and 131** of this bill make conforming changes to
103 reflect the revisions made to existing law because of the adoption of the provisions
104 of the UPA in **sections 29-92** and the repeal of unnecessary provisions in
105 **section 131**.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 125C.003 is hereby amended to read as
2 follows:

3 125C.003 1. A court may award primary physical custody to
4 a parent if the court determines that joint physical custody is not in
5 the best interest of a child. An award of joint physical custody is
6 presumed not to be in the best interest of the child if:

7 (a) The court determines by substantial evidence that a parent is
8 unable to adequately care for a minor child for at least 146 days of
9 the year;

10 (b) A child is born out of wedlock and the provisions of
11 subsection 2 are applicable; or

12 (c) Except as otherwise provided in subsection 6 of NRS
13 125C.0035 or NRS 125C.210, there has been a determination by the
14 court after an evidentiary hearing and finding by clear and
15 convincing evidence that a parent has engaged in one or more acts
16 of domestic violence against the child, a parent of the child or any
17 other person residing with the child. The presumption created by
18 this paragraph is a rebuttable presumption.

19 2. A court may award primary physical custody of a child born
20 out of wedlock to:

21 (a) The mother of the child if:

22 (1) The mother has not married the father of the child;

23 (2) A judgment or order of a court, or a judgment or order
24 entered pursuant to an expedited process, determining the ~~paternity~~
25 *parentage* of the child has not been entered; and

26 (3) The father of the child:

27 (I) Is not subject to any presumption of ~~paternity~~
28 *parentage* under ~~NRS 126.051;~~ *section 38 of this act;*

29 (II) Has never acknowledged ~~paternity~~ *parentage*
30 pursuant to ~~NRS 126.053;~~ *sections 39 to 52, inclusive, of this act;*
31 or

32 (III) Has had actual knowledge of his ~~paternity~~
33 *parentage* but has abandoned the child.

34 (b) The father of the child if:

35 (1) The mother has abandoned the child; and

36 (2) The father has provided sole care and custody of the child
37 in her absence.

38 3. As used in this section:

39 (a) “Abandoned” means that a mother or father has:

40 (1) Failed, for a continuous period of not less than 6 months,
41 to provide substantial personal and economic support to the child; or



1 (2) Knowingly declined, for a continuous period of not less
2 than 6 months, to have any meaningful relationship with the child.

3 (b) "Expedited process" has the meaning ascribed to it in
4 NRS 126.161.

5 **Sec. 2.** Chapter 126 of NRS is hereby amended by adding
6 thereto the provisions set forth as sections 3 to 94, inclusive, of this
7 act.

8 **Sec. 3.** *As used in this chapter, unless the context otherwise*
9 *requires, the words and terms defined in sections 4 to 28,*
10 *inclusive, of this act have the meanings ascribed to them in those*
11 *sections.*

12 **Sec. 4.** *"Acknowledged parent" means a person who has*
13 *established a parent and child relationship under sections 39 to*
14 *52, inclusive, of this act.*

15 **Sec. 5.** *"Adjudicated parent" means a person who has been*
16 *adjudicated to be a parent of a child by a court with jurisdiction.*

17 **Sec. 6.** *"Alleged genetic parent" means a person who is*
18 *alleged to be, or alleges that the person is, a genetic parent or*
19 *possible genetic parent of a child whose parentage has not been*
20 *adjudicated. The term includes an alleged genetic father and*
21 *alleged genetic mother. The term does not include:*

22 1. *A presumed parent;*

23 2. *A person whose parental rights have been terminated or*
24 *declared not to exist; or*

25 3. *A donor.*

26 **Sec. 7.** *"Assisted reproduction" means a method of causing*
27 *pregnancy other than sexual intercourse. The term includes:*

28 1. *Intrauterine or intracervical insemination;*

29 2. *Donation of gametes;*

30 3. *Donation of embryos;*

31 4. *In vitro fertilization and transfer of embryos; and*

32 5. *Intracytoplasmic sperm injection.*

33 **Sec. 8.** *"Birth" includes stillbirth.*

34 **Sec. 9.** *"Child" means a person of any age whose parentage*
35 *may be determined under sections 29 to 92, inclusive, of this act.*

36 **Sec. 10.** *"Child support agency" means a government entity,*
37 *public official or private agency authorized to provide parentage-*
38 *establishment services under Title IV-D of the Social Security Act,*
39 *42 U.S.C. §§ 651 to 669.*

40 **Sec. 11.** *"Custodial parent" means the parent of a child born*
41 *out of wedlock who has been awarded physical custody of the*
42 *child or, if no award of physical custody has been made by a court,*
43 *the parent with whom the child resides.*

44 **Sec. 12.** *"Determination of parentage" means establishment*
45 *of a parent and child relationship by a judicial or administrative*



1 *proceeding or signing of a valid acknowledgment of parentage*
2 *under sections 39 to 52, inclusive, of this act.*

3 **Sec. 13.** *“Donor” means a person who provides gametes*
4 *intended for use in assisted reproduction, whether or not for*
5 *consideration. The term does not include:*

6 1. *A woman who gives birth to a child conceived by assisted*
7 *reproduction, except as otherwise provided in NRS 126.500 to*
8 *126.810, inclusive, and sections 93 and 94 of this act; or*

9 2. *A parent or an intended parent under NRS 126.500 to*
10 *126.810, inclusive, and sections 93 and 94 of this act.*

11 **Sec. 14.** *“Gamete” means sperm, egg or any part of a sperm*
12 *or egg.*

13 **Sec. 15.** *“Genetic testing” means an analysis of genetic*
14 *markers to identify or exclude a genetic relationship.*

15 **Sec. 16.** *“Intended parent” means a person, married or*
16 *unmarried, who manifests an intent to be legally bound as a*
17 *parent of a child conceived by assisted reproduction.*

18 **Sec. 17.** *“Man” means a male person of any age.*

19 **Sec. 18.** *“Parent” means a person who has established a*
20 *parent and child relationship under section 35 of this act.*

21 **Sec. 19.** *“Parentage” or “parent and child relationship”*
22 *means the legal relationship between a child and a parent of the*
23 *child.*

24 **Sec. 20.** *“Person” means a natural person of any age.*

25 **Sec. 21.** *“Presumed parent” means a person who under*
26 *section 38 of this act is presumed to be a parent of a child, unless*
27 *the presumption is overcome in a judicial proceeding, a valid*
28 *denial of parentage is made under sections 39 to 52, inclusive, of*
29 *this act or a court adjudicates the person to be a parent.*

30 **Sec. 22.** *“Record” means information that is inscribed on a*
31 *tangible medium or that is stored in an electronic or other medium*
32 *and is retrievable in perceivable form.*

33 **Sec. 23.** *“Sign” means, with present intent to authenticate or*
34 *adopt a record:*

35 1. *To execute or adopt a tangible symbol; or*
36 2. *To attach to or logically associate with the record an*
37 *electronic symbol, sound or process.*

38 **Sec. 24.** *“Signatory” means a person who signs a record.*

39 **Sec. 25.** *“State” means a state of the United States, the*
40 *District of Columbia, Puerto Rico, the United States Virgin*
41 *Islands or any territory or insular possession under the*
42 *jurisdiction of the United States. The term includes a federally*
43 *recognized Indian tribe.*



1 **Sec. 26.** *“Transfer” means a procedure for assisted*
2 *reproduction by which an embryo or sperm is placed in the body of*
3 *the woman who will give birth to the child.*

4 **Sec. 27.** *“Witnessed” means that at least one person who is*
5 *authorized to sign has signed a record to verify that the person*
6 *personally observed a signatory sign the record.*

7 **Sec. 28.** *“Woman” means a female person of any age.*

8 **Sec. 29.** *Sections 29 to 92, inclusive, of this act may be cited*
9 *as the Uniform Parentage Act (2017).*

10 **Sec. 30.** *1. Sections 29 to 92, inclusive, of this act apply to*
11 *an adjudication or determination of parentage.*

12 *2. Sections 29 to 92, inclusive, of this act do not create, affect,*
13 *enlarge or diminish parental rights or duties under law of this*
14 *State other than sections 29 to 92, inclusive, of this act.*

15 **Sec. 31.** *Each district court may adjudicate parentage under*
16 *sections 29 to 92, inclusive, of this act.*

17 **Sec. 32.** *The court shall apply the law of this State to*
18 *adjudicate parentage. The applicable law does not depend on:*

19 *1. The place of birth of the child; or*

20 *2. The past or present residence of the child.*

21 **Sec. 33.** *A proceeding under sections 29 to 92, inclusive, of*
22 *this act is subject to law of this State other than sections 29 to 92,*
23 *inclusive, of this act which governs the health, safety, privacy and*
24 *liberty of a child or other person who could be affected by*
25 *disclosure of information that could identify the child or other*
26 *person, including, without limitation, address, telephone number,*
27 *digital contact information, place of employment, social security*
28 *number and the child’s day care facility or school.*

29 **Sec. 34.** *To the extent practicable, a provision of sections 29*
30 *to 92, inclusive, of this act applicable to a father and child*
31 *relationship applies to a mother and child relationship and a*
32 *provision of sections 29 to 92, inclusive, of this act applicable to a*
33 *mother and child relationship applies to a father and child*
34 *relationship.*

35 **Sec. 35.** *A parent and child relationship is established*
36 *between a person and a child if:*

37 *1. The person gives birth to the child, except as otherwise*
38 *provided in NRS 126.500 to 126.810, inclusive, and sections 93*
39 *and 94 of this act;*

40 *2. There is a presumption under section 38 of this act of the*
41 *person’s parentage of the child, unless the presumption is*
42 *overcome in a judicial proceeding or a valid denial of parentage is*
43 *made under sections 39 to 52, inclusive, of this act;*

44 *3. The person is adjudicated a parent of the child under*
45 *sections 70 to 90, inclusive, of this act;*



1 4. *The person adopts the child;*

2 5. *The person acknowledges parentage of the child under*
3 *sections 39 to 52, inclusive, of this act, unless the acknowledgment*
4 *is rescinded under section 46 of this act or successfully challenged*
5 *under sections 39 to 52, inclusive, or sections 70 to 90, inclusive,*
6 *of this act; or*

7 6. *The person's parentage of the child is established under*
8 *NRS 126.500 to 126.810, inclusive, and sections 93 and 94 of this*
9 *act.*

10 **Sec. 36.** *A parent and child relationship extends equally to*
11 *every child and parent, regardless of the marital status of the*
12 *parent.*

13 **Sec. 37.** *Unless parental rights are terminated, a parent and*
14 *child relationship established under sections 29 to 92, inclusive, of*
15 *this act applies for all purposes, except as otherwise provided by*
16 *law of this State other than sections 29 to 92, inclusive, of this act.*

17 **Sec. 38.** *1. A person is presumed to be a parent of a child*
18 *if:*

19 *(a) Except as otherwise provided under NRS 126.500 to*
20 *126.810, inclusive, and sections 93 and 94 of this act or law of this*
21 *State other than sections 29 to 92, inclusive, of this act:*

22 *(1) The person and the woman who gave birth to the child*
23 *are married to each other and the child is born during the*
24 *marriage, whether the marriage is or could be declared invalid;*

25 *(2) The person and the woman who gave birth to the child*
26 *were married to each other and the child is born not later than 300*
27 *days after the marriage is terminated by death, divorce,*
28 *dissolution, annulment or declaration of invalidity, or after a*
29 *decree of separation or separate maintenance, whether the*
30 *marriage is or could be declared invalid; or*

31 *(3) The person and the woman who gave birth to the child*
32 *married each other after the birth of the child, whether the*
33 *marriage is or could be declared invalid, the person at any time*
34 *asserted parentage of the child, and:*

35 *(I) The assertion is in a record filed with the State*
36 *Registrar of Vital Statistics; or*

37 *(II) The person agreed to be and is named as a parent of*
38 *the child on the birth certificate of the child; or*

39 *(b) The person resided in the same household with the child*
40 *for the first 2 years of the life of the child, including any period of*
41 *temporary absence, and openly held out the child as the person's*
42 *child.*

43 2. *A presumption of parentage under this section may be*
44 *overcome, and competing claims to parentage may be resolved,*
45 *only by an adjudication under sections 70 to 90, inclusive, of this*



1 *act or a valid denial of parentage under sections 39 to 52,*
2 *inclusive, of this act.*

3 **Sec. 39.** *A woman who gave birth to a child and an alleged*
4 *genetic father of the child, intended parent under NRS 126.500 to*
5 *126.810, inclusive, and sections 93 and 94 of this act, or presumed*
6 *parent may sign an acknowledgment of parentage to establish the*
7 *parentage of the child.*

8 **Sec. 40.** *1. An acknowledgment of parentage under section*
9 *39 of this act must:*

10 *(a) Be in a record signed by the woman who gave birth to the*
11 *child and by the person seeking to establish a parent and child*
12 *relationship, and the signatures must be attested by a notarial*
13 *officer or witnessed;*

14 *(b) State that the child whose parentage is being*
15 *acknowledged:*

16 *(1) Does not have a presumed parent other than the person*
17 *seeking to establish the parent and child relationship or has a*
18 *presumed parent whose full name is stated; and*

19 *(2) Does not have another acknowledged parent,*
20 *adjudicated parent or person who is a parent of the child under*
21 *NRS 126.500 to 126.810, inclusive, and sections 93 and 94 of this*
22 *act other than the woman who gave birth to the child; and*

23 *(c) State that the signatories understand that the*
24 *acknowledgement is the equivalent of an adjudication of*
25 *parentage of the child and that a challenge to the acknowledgment*
26 *is permitted only under limited circumstances and is barred 2*
27 *years after the effective date of the acknowledgment.*

28 *2. An acknowledgment of parentage is void if, at the time of*
29 *signing:*

30 *(a) A person other than the person seeking to establish*
31 *parentage is a presumed parent, unless a denial of parentage by*
32 *the presumed parent in a signed record is filed with the State*
33 *Registrar of Vital Statistics; or*

34 *(b) A person, other than the woman who gave birth to the child*
35 *or the person seeking to establish parentage, is an acknowledged*
36 *or adjudicated parent or a parent under NRS 126.500 to 126.810,*
37 *inclusive, and sections 93 and 94 of this act.*

38 **Sec. 41.** *A presumed parent or alleged genetic parent may*
39 *sign a denial of parentage in a record. The denial of parentage is*
40 *valid only if:*

41 *1. An acknowledgment of parentage by another person is*
42 *filed under section 43 of this act;*

43 *2. The signature of the presumed parent or alleged genetic*
44 *parent is attested by a notarial officer or witnessed; and*



1 3. *The presumed parent or alleged genetic parent has not*
2 *previously:*

3 (a) *Completed a valid acknowledgment of parentage, unless*
4 *the previous acknowledgment was rescinded under section 46 of*
5 *this act or challenged successfully under section 47 of this act; or*

6 (b) *Been adjudicated to be a parent of the child.*

7 **Sec. 42.** *1. An acknowledgment of parentage and a denial*
8 *of parentage may be contained in a single document or may be in*
9 *counterparts and may be filed with the State Registrar of Vital*
10 *Statistics separately or simultaneously. If filing of the*
11 *acknowledgment and denial both are required under sections 29 to*
12 *92, inclusive, of this act, neither is effective until both are filed.*

13 2. *An acknowledgment of parentage or denial of parentage*
14 *may be signed before or after the birth of the child.*

15 3. *Subject to subsection 1, an acknowledgment of parentage*
16 *or denial of parentage takes effect on the birth of the child or*
17 *filing of the document with the State Registrar of Vital Statistics,*
18 *whichever occurs later.*

19 4. *An acknowledgment of parentage or denial of parentage*
20 *signed by a minor is valid if the acknowledgment complies with*
21 *sections 29 to 92, inclusive, of this act.*

22 **Sec. 43.** *1. Except as otherwise provided in sections 46 and*
23 *47 of this act, an acknowledgment of parentage that complies with*
24 *sections 39 to 52, inclusive, of this act and is filed with the State*
25 *Registrar of Vital Statistics is equivalent to an adjudication of*
26 *parentage of the child and confers on the acknowledged parent all*
27 *rights and duties of a parent.*

28 2. *Except as otherwise provided in sections 46 and 47 of this*
29 *act, a denial of parentage by a presumed parent or alleged genetic*
30 *parent which complies with sections 39 to 52, inclusive, of this act*
31 *and is filed with the State Registrar of Vital Statistics with an*
32 *acknowledgment of parentage that complies with sections 39 to 52,*
33 *inclusive, of this act is equivalent to an adjudication of the*
34 *nonparentage of the presumed parent or alleged genetic parent*
35 *and discharges the presumed parent or alleged genetic parent*
36 *from all rights and duties of a parent.*

37 **Sec. 44.** *The State Registrar of Vital Statistics may not*
38 *charge a fee for filing an acknowledgment of parentage or denial*
39 *of parentage.*

40 **Sec. 45.** *A court conducting a judicial proceeding or an*
41 *administrative agency conducting an administrative proceeding is*
42 *not required or permitted to ratify an unchallenged*
43 *acknowledgment of parentage.*

44 **Sec. 46.** *1. A signatory may rescind an acknowledgment of*
45 *parentage or denial of parentage by filing with the State Registrar*



1 of Vital Statistics a rescission in a signed record which is attested
2 by a notarial officer or witnessed, before the earlier of:

3 (a) Sixty days after the effective date under section 42 of this
4 act of the acknowledgment or denial; or

5 (b) The date of the first hearing before a court in a proceeding,
6 to which the signatory is a party, to adjudicate an issue relating to
7 the child, including a proceeding that establishes support.

8 2. If an acknowledgment of parentage is rescinded under
9 subsection 1, an associated denial of parentage is invalid, and the
10 State Registrar of Vital Statistics shall notify the woman who gave
11 birth to the child and the person who signed a denial of parentage
12 of the child that the acknowledgment has been rescinded. Failure
13 to give the notice required by this subsection does not affect the
14 validity of the rescission.

15 **Sec. 47.** 1. After the period for rescission under section 46
16 of this act expires, but not later than 2 years after the effective date
17 under section 42 of this act of an acknowledgment of parentage or
18 denial of parentage, a signatory of the acknowledgment or denial
19 may commence a proceeding to challenge the acknowledgment or
20 denial only on the basis of fraud, duress or material mistake of
21 fact.

22 2. A challenge to an acknowledgment of parentage or denial
23 of parentage by a person who was not a signatory to the
24 acknowledgment or denial is governed by section 79 of this act.

25 **Sec. 48.** 1. Every signatory to an acknowledgment of
26 parentage and any related denial of parentage must be made a
27 party to a proceeding to challenge the acknowledgment or denial.

28 2. By signing an acknowledgment of parentage or denial of
29 parentage, a signatory submits to personal jurisdiction in this
30 State in a proceeding to challenge the acknowledgment or denial,
31 effective on the filing of the acknowledgment or denial with the
32 State Registrar of Vital Statistics.

33 3. The court may not suspend the legal responsibilities
34 arising from an acknowledgment of parentage, including the duty
35 to pay child support, during the pendency of a proceeding to
36 challenge the acknowledgment or a related denial of parentage,
37 unless the party challenging the acknowledgment or denial shows
38 good cause.

39 4. A party challenging an acknowledgment of parentage or
40 denial of parentage has the burden of proof.

41 5. If the court determines that a party has satisfied the burden
42 of proof under subsection 4, the court shall order the State
43 Registrar of Vital Statistics to amend the birth record of the child
44 to reflect the legal parentage of the child.



1 **6. A proceeding to challenge an acknowledgment of**
2 **parentage or denial of parentage must be conducted under**
3 **sections 70 to 90, inclusive, of this act.**

4 **Sec. 49. The court shall give full faith and credit to an**
5 **acknowledgment of parentage or denial of parentage effective in**
6 **another state if the acknowledgment or denial was in a signed**
7 **record and otherwise complies with the law of the other state.**

8 **Sec. 50. A valid acknowledgment of parentage or denial of**
9 **parentage is not affected by a later modification of the declaration**
10 **developed by the State Board of Health pursuant to NRS 440.285.**

11 **Sec. 51. The State Registrar of Vital Statistics may release**
12 **information relating to an acknowledgment of parentage or denial**
13 **of parentage to a signatory of the acknowledgment or denial, a**
14 **court, federal agency and child support agency of this or another**
15 **state.**

16 **Sec. 52. The State Board of Health may adopt any**
17 **regulations that are necessary to implement sections 39 to 52,**
18 **inclusive, of this act.**

19 **Sec. 53. As used in sections 53 to 69, inclusive, of this act,**
20 **unless the context otherwise requires, the words and terms defined**
21 **in sections 54 to 58, inclusive, of this act have the meanings**
22 **ascribed to them in those sections.**

23 **Sec. 54. "Combined relationship index" means the product**
24 **of all tested relationship indices.**

25 **Sec. 55. "Ethnic or racial group" means, for the purpose of**
26 **genetic testing, a recognized group that a person identifies as the**
27 **person's ancestry or part of the ancestry or that is identified by**
28 **other information.**

29 **Sec. 56. "Hypothesized genetic relationship" means an**
30 **asserted genetic relationship between a person and a child.**

31 **Sec. 57. "Probability of parentage" means, for the ethnic or**
32 **racial group to which a person alleged to be a parent belongs, the**
33 **probability that a hypothesized genetic relationship is supported,**
34 **compared to the probability that a genetic relationship is**
35 **supported between the child and a random person of the ethnic or**
36 **racial group used in the hypothesized genetic relationship,**
37 **expressed as a percentage incorporating the combined**
38 **relationship index and a prior probability.**

39 **Sec. 58. "Relationship index" means a likelihood ratio that**
40 **compares the probability of a genetic marker given a hypothesized**
41 **genetic relationship and the probability of the genetic marker**
42 **given a genetic relationship between the child and a random**
43 **person of the ethnic or racial group used in the hypothesized**
44 **genetic relationship.**



1 **Sec. 59. 1.** *Sections 53 to 69, inclusive, of this act govern*
2 *genetic testing of a person in a proceeding to adjudicate*
3 *parentage, whether the person:*

4 (a) *Voluntarily submits to testing; or*

5 (b) *Is tested under an order of the court or a child support*
6 *agency.*

7 **2.** *Genetic testing may not be used:*

8 (a) *To challenge the parentage of a person who is a parent*
9 *under NRS 126.500 to 126.810, inclusive, and sections 93 and 94*
10 *of this act; or*

11 (b) *To establish the parentage of a person who is a donor.*

12 **Sec. 60. 1.** *Except as otherwise provided in sections 53 to*
13 *69, inclusive, of this act or sections 70 to 90, inclusive, of this act,*
14 *in a proceeding under sections 29 to 92, inclusive, of this act to*
15 *determine parentage, the court shall order the child and any other*
16 *person to submit to genetic testing if a request for testing is*
17 *supported by the sworn statement of a party:*

18 (a) *Alleging a reasonable possibility that the person is the*
19 *child's genetic parent; or*

20 (b) *Denying genetic parentage of the child and stating facts*
21 *establishing a reasonable possibility that the person is not a*
22 *genetic parent.*

23 **2.** *A child support agency may order genetic testing only if*
24 *there is no presumed, acknowledged or adjudicated parent of a*
25 *child other than the woman who gave birth to the child.*

26 **3.** *The court or child support agency may not order in utero*
27 *genetic testing.*

28 **4.** *If two or more persons are subject to court-ordered genetic*
29 *testing, the court may order that testing be completed concurrently*
30 *or sequentially.*

31 **5.** *Genetic testing of a woman who gave birth to a child is not*
32 *a condition precedent to testing of the child and a person whose*
33 *genetic parentage of the child is being determined. If the woman is*
34 *unavailable or declines to submit to genetic testing, the court may*
35 *order genetic testing of the child and each person whose genetic*
36 *parentage of the child is being adjudicated.*

37 **6.** *In a proceeding to adjudicate the parentage of a child*
38 *having a presumed parent or a person who claims to be a parent*
39 *under section 78 of this act, or to challenge an acknowledgment of*
40 *parentage, the court may deny a motion for genetic testing of the*
41 *child and any other person after considering the factors in*
42 *subsections 1 and 2 of section 82 of this act.*

43 **7.** *If a person requesting genetic testing is barred under*
44 *sections 70 to 90, inclusive, of this act from establishing the*



1 *person's parentage, the court shall deny the request for genetic*
2 *testing.*

3 *8. An order under this section for genetic testing is*
4 *enforceable by contempt.*

5 **Sec. 61. 1. Genetic testing must be of a type reasonably**
6 **relied on by experts in the field of genetic testing and performed in**
7 **a testing laboratory accredited by:**

8 *(a) The AABB, formerly known as the American Association*
9 *of Blood Banks, or a successor to its functions; or*

10 *(b) An accrediting body designated by the Secretary of the*
11 *United States Department of Health and Human Services.*

12 **2. A specimen used in genetic testing may consist of a sample**
13 **or a combination of samples of blood, buccal cells, bone, hair or**
14 **other body tissue or fluid. The specimen used in the testing need**
15 **not be of the same kind for each person undergoing genetic**
16 **testing.**

17 **3. Based on the ethnic or racial group of a person**
18 **undergoing genetic testing, a testing laboratory shall determine**
19 **the databases from which to select frequencies for use in**
20 **calculating a relationship index. If a person or a child support**
21 **agency objects to the laboratory's choice, the following rules**
22 **apply:**

23 *(a) Not later than 30 days after receipt of the report of the test,*
24 *the objecting person or child support agency may request the court*
25 *to require the laboratory to recalculate the relationship index*
26 *using an ethnic or racial group different from that used by the*
27 *laboratory.*

28 *(b) The person or the child support agency objecting to the*
29 *laboratory's choice under this subsection shall:*

30 *(1) If the requested frequencies are not available to the*
31 *laboratory for the ethnic or racial group requested, provide the*
32 *requested frequencies compiled in a manner recognized by*
33 *accrediting bodies; or*

34 *(2) Engage another laboratory to perform the calculations.*

35 *(c) The laboratory may use its own statistical estimate if there*
36 *is a question which ethnic or racial group is appropriate. The*
37 *laboratory shall calculate the frequencies using statistics, if*
38 *available, for any other ethnic or racial group requested.*

39 **4. If, after recalculation of the relationship index under**
40 **subsection 3 using a different ethnic or racial group, genetic**
41 **testing under section 63 of this act does not identify a person as a**
42 **genetic parent of a child, the court may require a person who has**
43 **been tested to submit to additional genetic testing to identify a**
44 **genetic parent.**



1 **Sec. 62. 1.** *A report of genetic testing must be in a record*
2 *and signed under penalty of perjury by a designee of the testing*
3 *laboratory. A report complying with the requirements of sections*
4 *53 to 69, inclusive, of this act is self-authenticating.*

5 **2.** *Documentation from a testing laboratory of the following*
6 *information is sufficient to establish a reliable chain of custody*
7 *and allow the results of genetic testing to be admissible without*
8 *testimony:*

9 **(a)** *The name and photograph of each person whose specimen*
10 *has been taken;*

11 **(b)** *The name of the person who collected each specimen;*

12 **(c)** *The place and date each specimen was collected;*

13 **(d)** *The name of the person who received each specimen in the*
14 *testing laboratory; and*

15 **(e)** *The date each specimen was received.*

16 **Sec. 63. 1.** *Subject to a challenge under subsection 2, a*
17 *person is identified under sections 29 to 92, inclusive, of this act as*
18 *a genetic parent of a child if genetic testing complies with sections*
19 *53 to 69, inclusive, of this act and the results of the testing*
20 *disclose:*

21 **(a)** *The person has at least a 99 percent probability of*
22 *parentage, using a prior probability of 0.50, as calculated by using*
23 *the combined relationship index obtained in the testing; and*

24 **(b)** *A combined relationship index of at least 100 to 1.*

25 **2.** *A person identified under subsection 1 as a genetic parent*
26 *of the child may challenge the genetic testing results only by other*
27 *genetic testing satisfying the requirements of sections 53 to 69,*
28 *inclusive, of this act which:*

29 **(a)** *Excludes the person as a genetic parent of the child; or*

30 **(b)** *Identifies another person as a possible genetic parent of the*
31 *child other than:*

32 **(1)** *The woman who gave birth to the child; or*

33 **(2)** *The person identified under subsection 1.*

34 **3.** *Except as otherwise provided in section 68 of this act, if*
35 *more than one person other than the woman who gave birth is*
36 *identified by genetic testing as a possible genetic parent of the*
37 *child, the court shall order each person to submit to further*
38 *genetic testing to identify a genetic parent.*

39 **Sec. 64. 1.** *Subject to assessment of fees under sections 70*
40 *to 90, inclusive, of this act, payment of the cost of initial genetic*
41 *testing must be made in advance:*

42 **(a)** *By a child support agency in a proceeding in which the*
43 *child support agency is providing services;*

44 **(b)** *By the person who made the request for genetic testing;*

45 **(c)** *As agreed by the parties; or*



1 (d) As ordered by the court.

2 2. If the cost of genetic testing is paid by a child support
3 agency, the agency may seek reimbursement from the genetic
4 parent whose parent and child relationship is established.

5 **Sec. 65.** The court or child support agency shall order
6 additional genetic testing on request of a person who contests the
7 result of the initial testing under section 63 of this act. If initial
8 genetic testing under section 63 of this act identified a person as a
9 genetic parent of the child, the court or agency may not order
10 additional testing unless the contesting person pays for the testing
11 in advance.

12 **Sec. 66.** 1. Subject to subsection 2, if a genetic-testing
13 specimen is not available from an alleged genetic parent of a
14 child, a person seeking genetic testing demonstrates good cause
15 and the court finds that the circumstances are just, the court may
16 order any of the following persons to submit specimens for genetic
17 testing:

18 (a) A parent of the alleged genetic parent;

19 (b) A sibling of the alleged genetic parent;

20 (c) Another child of the alleged genetic parent and the woman
21 who gave birth to the other child; and

22 (d) Another relative of the alleged genetic parent necessary to
23 complete genetic testing.

24 2. To issue an order under this section, the court must find
25 that a need for genetic testing outweighs the legitimate interests of
26 the person sought to be tested.

27 **Sec. 67.** If a person seeking genetic testing demonstrates
28 good cause, the court may order genetic testing of a deceased
29 person.

30 **Sec. 68.** 1. If the court finds there is a reason to believe that
31 an alleged genetic parent has an identical sibling and evidence
32 that the sibling may be a genetic parent of the child, the court may
33 order genetic testing of the sibling.

34 2. If more than one sibling is identified under section 63 of
35 this act as a genetic parent of the child, the court may rely on
36 nongenetic evidence to adjudicate which sibling is a genetic parent
37 of the child.

38 **Sec. 69.** 1. Release of a report of genetic testing for
39 parentage is controlled by law of this State other than sections 29
40 to 92, inclusive, of this act.

41 2. A person who intentionally releases an identifiable
42 specimen of another person collected for genetic testing under
43 sections 53 to 69, inclusive, of this act for a purpose not relevant to
44 a proceeding regarding parentage, without a court order or written



1 *permission of the person who furnished the specimen, commits a*
2 *misdemeanor.*

3 **Sec. 70.** 1. *A proceeding may be commenced to adjudicate*
4 *the parentage of a child. Except as otherwise provided in sections*
5 *29 to 92, inclusive, of this act, the proceeding is governed by the*
6 *Nevada Rules of Civil Procedure.*

7 2. *A proceeding to adjudicate the parentage of a child born*
8 *under a gestational agreement is governed by NRS 126.500 to*
9 *126.810, inclusive, and sections 93 and 94 of this act.*

10 3. *As used in this section, "gestational agreement" has the*
11 *meaning ascribed to it in NRS 126.570.*

12 **Sec. 71.** *Except as otherwise provided in sections 39 to 52,*
13 *inclusive, and sections 77 to 80, inclusive, of this act, a proceeding*
14 *to adjudicate parentage may be maintained by:*

15 1. *The child;*

16 2. *The woman who gave birth to the child, unless a court has*
17 *adjudicated that she is not a parent;*

18 3. *A person who is a parent under sections 29 to 92, inclusive,*
19 *of this act;*

20 4. *A person whose parentage of the child is to be adjudicated;*

21 5. *A child support agency or other governmental agency*
22 *authorized by law of this State other than sections 29 to 92,*
23 *inclusive, of this act;*

24 6. *An adoption agency authorized by law of this State other*
25 *than sections 29 to 92, inclusive, or licensed child-placement*
26 *agency; or*

27 7. *A representative authorized by law of this State other than*
28 *sections 29 to 92, inclusive, of this act to act for a person who*
29 *otherwise would be entitled to maintain a proceeding but is*
30 *deceased, incapacitated or a minor.*

31 **Sec. 72.** 1. *The petitioner shall give notice of a proceeding*
32 *to adjudicate parentage to the following persons:*

33 (a) *The woman who gave birth to the child, unless a court has*
34 *adjudicated that she is not a parent;*

35 (b) *A person who is a parent of the child under sections 29 to*
36 *92, inclusive, of this act;*

37 (c) *A presumed, acknowledged or adjudicated parent of the*
38 *child; and*

39 (d) *A person whose parentage of the child is to be adjudicated.*

40 2. *A person entitled to notice under subsection 1 has a right*
41 *to intervene in the proceeding.*

42 3. *Lack of notice required by subsection 1 does not render a*
43 *judgment void. Lack of notice does not preclude a person entitled*
44 *to notice under subsection 1 from bringing a proceeding under*
45 *subsection 2 of section 80 of this act.*



1 **Sec. 73. 1.** *The court may adjudicate a person's parentage*
2 *of a child only if the court has personal jurisdiction over the*
3 *person.*

4 2. *A court of this State with jurisdiction to adjudicate*
5 *parentage may exercise personal jurisdiction over a nonresident if*
6 *the conditions prescribed in NRS 130.201 are satisfied.*

7 3. *Lack of jurisdiction over one person does not preclude the*
8 *court from making an adjudication of parentage binding on*
9 *another person.*

10 **Sec. 74.** *Venue for a proceeding to adjudicate parentage is in*
11 *the county of this State in which:*

12 1. *The child resides or is located;*

13 2. *If the child does not reside in this State, the respondent*
14 *resides or is located; or*

15 3. *A proceeding has been commenced for administration of*
16 *the estate of a person who is or may be a parent under sections 29*
17 *to 92, inclusive, of this act.*

18 **Sec. 75. 1.** *Except as otherwise provided in subsection 2 of*
19 *section 59 of this act, the court shall admit a report of genetic*
20 *testing ordered by the court under section 60 of this act as*
21 *evidence of the truth of the facts asserted in the report.*

22 2. *A party may object to the admission of a report described*
23 *in subsection 1, not later than 14 days after the party receives the*
24 *report. The party shall cite specific grounds for exclusion.*

25 3. *A party that objects to the results of genetic testing may*
26 *call a genetic-testing expert to testify in person or by another*
27 *method approved by the court. Unless the court orders otherwise,*
28 *the party offering the testimony bears the expense for the expert*
29 *testifying.*

30 4. *Admissibility of a report of genetic testing is not affected by*
31 *whether the testing was performed:*

32 (a) *Voluntarily or under an order of the court or a child*
33 *support agency; or*

34 (b) *Before, on or after commencement of the proceeding.*

35 **Sec. 76. 1.** *A proceeding to determine whether an alleged*
36 *genetic parent who is not a presumed parent is a parent of a child*
37 *may be commenced:*

38 (a) *Before the child becomes an adult; or*

39 (b) *After the child becomes an adult, but only if the child*
40 *initiates the proceeding.*

41 2. *This subsection applies in a proceeding described in*
42 *subsection 1 if the woman who gave birth to the child is the only*
43 *other person with a claim to parentage of the child. The court*
44 *shall adjudicate an alleged genetic parent to be a parent of the*
45 *child if the alleged genetic parent:*



1 (a) *Is identified under section 63 of this act as a genetic parent*
2 *of the child and the identification is not successfully challenged*
3 *under section 63 of this act;*

4 (b) *Admits parentage in a pleading, when making an*
5 *appearance or during a hearing, the court accepts the admission*
6 *and the court determines the alleged genetic parent to be a parent*
7 *of the child;*

8 (c) *Declines to submit to genetic testing ordered by the court or*
9 *a child support agency, in which case the court may adjudicate the*
10 *alleged genetic parent to be a parent of the child even if the*
11 *alleged genetic parent denies a genetic relationship with the child;*

12 (d) *Is in default after service of process and the court*
13 *determines the alleged genetic parent to be a parent of the child;*
14 *or*

15 (e) *Is neither identified nor excluded as a genetic parent by*
16 *genetic testing and, based on other evidence, the court determines*
17 *the alleged genetic parent to be a parent of the child.*

18 3. *Subject to other limitations in sections 75 to 82, inclusive,*
19 *of this act, if in a proceeding involving an alleged genetic parent,*
20 *at least one other person in addition to the woman who gave birth*
21 *to the child has a claim to parentage of the child, the court shall*
22 *adjudicate parentage under section 82 of this act.*

23 **Sec. 77. 1.** *A proceeding to determine whether a presumed*
24 *parent is a parent of a child may be commenced:*

25 (a) *Before the child becomes an adult; or*

26 (b) *After the child becomes an adult, but only if the child*
27 *initiates the proceeding.*

28 2. *A presumption of parentage under section 38 of this act*
29 *cannot be overcome after the child attains 2 years of age unless*
30 *the court determines:*

31 (a) *The presumed parent is not a genetic parent, never resided*
32 *with the child and never held out the child as the presumed*
33 *parent's child; or*

34 (b) *The child has more than one presumed parent.*

35 3. *The following rules apply in a proceeding to adjudicate a*
36 *presumed parent's parentage of a child if the woman who gave*
37 *birth to the child is the only other person with a claim to parentage*
38 *of the child:*

39 (a) *If no party to the proceeding challenges the presumed*
40 *parent's parentage of the child, the court shall adjudicate the*
41 *presumed parent to be a parent of the child.*

42 (b) *If the presumed parent is identified under section 63 of this*
43 *act as a genetic parent of the child and that identification is not*
44 *successfully challenged under section 63 of this act, the court*
45 *shall adjudicate the presumed parent to be a parent of the child.*



1 (c) *If the presumed parent is not identified under section 63 of*
2 *this act as a genetic parent of the child and the presumed parent*
3 *or the woman who gave birth to the child challenges the presumed*
4 *parent's parentage of the child, the court shall adjudicate the*
5 *parentage of the child in the best interest of the child based on the*
6 *factors under subsections 1 and 2 of section 82 of this act.*

7 4. *Subject to other limitations in sections 75 to 82, inclusive,*
8 *of this act, if in a proceeding to adjudicate a presumed parent's*
9 *parentage of a child, another person in addition to the woman who*
10 *gave birth to the child asserts a claim to parentage of the child, the*
11 *court shall adjudicate parentage under section 82 of this act.*

12 **Sec. 78.** 1. *A proceeding to establish parentage of a child*
13 *under this section may be commenced only by a person who:*

14 (a) *Is alive when the proceeding is commenced; and*

15 (b) *Claims to be a de facto parent of the child.*

16 2. *A person who claims to be a de facto parent of a child must*
17 *commence a proceeding to establish parentage of a child under*
18 *this section:*

19 (a) *Before the child attains 18 years of age; and*

20 (b) *While the child is alive.*

21 3. *The following rules govern standing of a person who*
22 *claims to be a de facto parent of a child to maintain a proceeding*
23 *under this section:*

24 (a) *The person must file an initial verified pleading alleging*
25 *specific facts that support the claim to parentage of the child*
26 *asserted under this section. The verified pleading must be served*
27 *on all parents and legal guardians of the child and any other party*
28 *to the proceeding.*

29 (b) *An adverse party, parent or legal guardian may file a*
30 *pleading in response to the pleading filed under paragraph (a). A*
31 *responsive pleading must be verified and must be served on parties*
32 *to the proceeding.*

33 (c) *Unless the court finds a hearing is necessary to determine*
34 *disputed facts material to the issue of standing, the court shall*
35 *determine, based on the pleadings under paragraphs (a) and (b),*
36 *whether the person has alleged facts sufficient to satisfy by a*
37 *preponderance of the evidence the requirements of paragraphs (a)*
38 *to (g), inclusive, of subsection 4. If the court holds a hearing*
39 *under this subsection, the hearing must be held on an expedited*
40 *basis.*

41 4. *In a proceeding to adjudicate parentage of a person who*
42 *claims to be a de facto parent of the child, if there is only one*
43 *other person who is a parent or has a claim to parentage of the*
44 *child, the court shall adjudicate the person who claims to be a de*



1 *facto parent to be a parent of the child if the person demonstrates*
2 *by clear and convincing evidence that:*

3 (a) *The person resided with the child as a regular member of*
4 *the child's household for a significant period;*

5 (b) *The person engaged in consistent caretaking of the child;*

6 (c) *The person undertook full and permanent responsibilities*
7 *of a parent of the child without expectation of financial*
8 *compensation;*

9 (d) *The person held out the child as the person's child;*

10 (e) *The person established a bonded and dependent*
11 *relationship with the child which is parental in nature;*

12 (f) *Another parent of the child fostered or supported the*
13 *bonded and dependent relationship required under paragraph (e);*
14 *and*

15 (g) *Continuing the relationship between the person and the*
16 *child is in the best interest of the child.*

17 5. *Subject to other limitations in sections 75 to 82, inclusive,*
18 *of this act, if in a proceeding to adjudicate parentage of a person*
19 *who claims to be a de facto parent of the child, there is more than*
20 *one other person who is a parent or has a claim to parentage of*
21 *the child and the court determines that the requirements of*
22 *subsection 4 are satisfied, the court shall adjudicate parentage*
23 *under section 82 of this act.*

24 **Sec. 79.** 1. *If a child has an acknowledged parent, a*
25 *proceeding to challenge the acknowledgment of parentage or a*
26 *denial of parentage, brought by a signatory to the*
27 *acknowledgment or denial, is governed by sections 47 and 48 of*
28 *this act.*

29 2. *If a child has an acknowledged parent, the following rules*
30 *apply in a proceeding to challenge the acknowledgment of*
31 *parentage or a denial of parentage brought by a person, other*
32 *than the child, who has standing under section 71 of this act and*
33 *was not a signatory to the acknowledgment or denial:*

34 (a) *The person must commence the proceeding not later than 2*
35 *years after the effective date of the acknowledgment.*

36 (b) *The court may permit the proceeding only if the court finds*
37 *permitting the proceeding is in the best interest of the child.*

38 (c) *If the court permits the proceeding, the court shall*
39 *adjudicate parentage under section 81 of this act.*

40 **Sec. 80.** 1. *If a child has an adjudicated parent, a*
41 *proceeding to challenge the adjudication, brought by a person who*
42 *was a party to the adjudication or received notice under section 72*
43 *of this act, is governed by the rules governing a collateral attack*
44 *on a judgment.*



1 2. *If a child has an adjudicated parent, the following rules*
2 *apply to a proceeding to challenge the adjudication of parentage*
3 *brought by a person, other than the child, who has standing under*
4 *section 71 of this act and was not a party to the adjudication and*
5 *did not receive notice under section 72 of this act:*

6 (a) *The person must commence the proceeding not later than 2*
7 *years after the effective date of the adjudication.*

8 (b) *The court may permit the proceeding only if the court finds*
9 *permitting the proceeding is in the best interest of the child.*

10 (c) *If the court permits the proceeding, the court shall*
11 *adjudicate parentage under section 82 of this act.*

12 **Sec. 81.** 1. *A person who is a parent under NRS 126.500 to*
13 *126.810, inclusive, and sections 93 and 94 of this act or the*
14 *woman who gave birth to the child may bring a proceeding to*
15 *adjudicate parentage. If the court determines the person is a*
16 *parent under NRS 126.500 to 126.810, inclusive, and sections 93*
17 *and 94 of this act, the court shall adjudicate the person to be a*
18 *parent of the child.*

19 2. *In a proceeding to adjudicate a person's parentage of a*
20 *child, if another person other than the woman who gave birth to*
21 *the child is a parent under NRS 126.500 to 126.810, inclusive, and*
22 *sections 93 and 94 of this act, the court shall adjudicate the*
23 *person's parentage of the child under section 82 of this act.*

24 **Sec. 82.** 1. *In a proceeding to adjudicate competing claims*
25 *of, or challenges under subsection 3 of section 77 of this act or*
26 *section 79 or 80 of this act to, parentage of a child by two or more*
27 *persons, the court shall adjudicate parentage in the best interest of*
28 *the child, based on:*

29 (a) *The age of the child;*

30 (b) *The length of time during which each person assumed the*
31 *role of parent of the child;*

32 (c) *The nature of the relationship between the child and each*
33 *person;*

34 (d) *The harm to the child if the relationship between the child*
35 *and each person is not recognized;*

36 (e) *The basis for each person's claim to parentage of the child;*
37 *and*

38 (f) *Other equitable factors arising from the disruption of the*
39 *relationship between the child and each person or the likelihood of*
40 *other harm to the child.*

41 2. *If a person challenges parentage based on the results of*
42 *genetic testing, in addition to the factors listed in subsection 1, the*
43 *court shall consider:*

44 (a) *The facts surrounding the discovery the person might not*
45 *be a genetic parent of the child; and*



1 (b) *The length of time between the time that the person was*
2 *placed on notice that the person might not be a genetic parent and*
3 *the commencement of the proceeding.*

4 3. *The court may adjudicate a child to have more than two*
5 *parents under sections 29 to 92, inclusive, of this act if the court*
6 *finds that failure to recognize more than two parents would be*
7 *detrimental to the child. A finding of detriment to the child does*
8 *not require a finding of unfitness of any parent or person seeking*
9 *an adjudication of parentage. In determining detriment to the*
10 *child, the court shall consider all relevant factors, including the*
11 *harm if the child is removed from a stable placement with a person*
12 *who has fulfilled the child's physical needs and psychological*
13 *needs for care and affection and has assumed the role for a*
14 *substantial period.*

15 **Sec. 83.** 1. *In a proceeding under sections 70 to 90,*
16 *inclusive, of this act, the court may issue a temporary order for*
17 *child support if the order is consistent with the law of this State*
18 *other than sections 29 to 92, inclusive, of this act and the person*
19 *ordered to pay support is:*

- 20 (a) *A presumed parent of the child;*
21 (b) *Petitioning to be adjudicated a parent;*
22 (c) *Identified as a genetic parent through genetic testing under*
23 *section 63 of this act;*
24 (d) *An alleged genetic parent who has declined to submit to*
25 *genetic testing;*
26 (e) *Shown by clear and convincing evidence to be a parent of*
27 *the child; or*
28 (f) *A parent under sections 29 to 92, inclusive, of this act.*

29 2. *A temporary order may include a provision for custody and*
30 *visitation under law of this State other than sections 29 to 92,*
31 *inclusive, of this act.*

32 **Sec. 84.** 1. *Except as otherwise provided in subsection 2,*
33 *the court may combine a proceeding to adjudicate parentage*
34 *under sections 29 to 92, inclusive, of this act with a proceeding for*
35 *adoption, termination of parental rights, child custody or*
36 *visitation, child support, divorce, dissolution, annulment,*
37 *declaration of invalidity, legal separation or separate*
38 *maintenance, administration of an estate or other appropriate*
39 *proceeding.*

40 2. *A respondent may not combine a proceeding described in*
41 *subsection 1 with a proceeding to adjudicate parentage brought*
42 *under NRS 130.0902 to 130.802, inclusive.*

43 **Sec. 85.** *Except as otherwise provided in NRS 126.500 to*
44 *126.810, inclusive, and sections 93 and 94 of this act, a proceeding*
45 *to adjudicate parentage may be commenced before the birth of the*



1 *child and an order or judgment may be entered before birth, but*
2 *enforcement of the order or judgment must be stayed until the*
3 *birth of the child.*

4 **Sec. 86.** 1. *A minor child is a permissive party but not a*
5 *necessary party to a proceeding under sections 70 to 90, inclusive,*
6 *of this act.*

7 2. *The court shall appoint a guardian ad litem to represent a*
8 *child in a proceeding under sections 70 to 90, inclusive, of this act*
9 *if the court finds that the interests of the child are not adequately*
10 *represented.*

11 **Sec. 87.** *The court shall adjudicate parentage of a child*
12 *without a jury.*

13 **Sec. 88.** *The court may dismiss a proceeding under sections*
14 *29 to 92, inclusive, of this act for want of prosecution only without*
15 *prejudice. An order of dismissal for want of prosecution*
16 *purportedly with prejudice is void and has only the effect of a*
17 *dismissal without prejudice.*

18 **Sec. 89.** 1. *An order adjudicating parentage must identify*
19 *the child in a manner provided by law of this State other than*
20 *sections 29 to 92, inclusive, of this act.*

21 2. *Except as otherwise provided in subsection 3, the court*
22 *may assess filing fees, reasonable attorney's fees, fees for genetic*
23 *testing, other costs and necessary travel and other reasonable*
24 *expenses incurred in a proceeding under sections 70 to 90,*
25 *inclusive, of this act. Attorney's fees awarded under this*
26 *subsection may be paid directly to the attorney, and the attorney*
27 *may enforce the order in the attorney's own name.*

28 3. *The court may not assess fees, costs or expenses in a*
29 *proceeding under sections 70 to 90, inclusive, of this act against a*
30 *child support agency of this State or another state, except as*
31 *provided by law of this State other than sections 29 to 92,*
32 *inclusive, of this act.*

33 4. *In a proceeding under sections 70 to 90, inclusive, of this*
34 *act, a copy of a bill for genetic testing or prenatal or postnatal*
35 *health care for the woman who gave birth to the child and the*
36 *child, provided to the adverse party not later than 10 days before a*
37 *hearing, is admissible to establish:*

38 (a) *The amount of the charge billed; and*

39 (b) *That the charge is reasonable and necessary.*

40 5. *On request of a party and for good cause, the court in a*
41 *proceeding under sections 70 to 90, inclusive, of this act may order*
42 *the name of the child changed. If the court order changing the*
43 *name varies from the name on the birth certificate of the child, the*
44 *court shall order the State Registrar of Vital Statistics to issue an*
45 *amended birth certificate.*



Sec. 90. 1. Except as otherwise provided in subsection 2:

(a) A signatory to an acknowledgment of parentage or denial of parentage is bound by the acknowledgment and denial as provided in sections 39 to 52, inclusive, of this act; and

(b) A party to an adjudication of parentage by a court acting under circumstances that satisfy the jurisdiction requirements of NRS 130.201 and any person who received notice of the proceeding are bound by the adjudication.

2. A child is not bound by a determination of parentage under sections 29 to 92, inclusive, of this act unless:

(a) The determination was based on an unrescinded acknowledgment of parentage and the acknowledgment is consistent with the results of genetic testing;

(b) The determination was based on a finding consistent with the results of genetic testing, and the consistency is declared in the determination or otherwise shown;

(c) The determination of parentage was made under NRS 126.500 to 126.810, inclusive, and sections 93 and 94 of this act; or

(d) The child was a party or was represented by a guardian ad litem in the proceeding.

3. In a proceeding for divorce, dissolution, annulment, declaration of invalidity, legal separation or separate maintenance, the court is deemed to have made an adjudication of parentage of a child if the court acts under circumstances that satisfy the jurisdiction requirements of NRS 130.201 and the final order:

(a) Expressly identifies the child as a "child of the marriage" or "issue of the marriage" or includes similar words indicating that both spouses are parents of the child; or

(b) Provides for support of the child by a spouse unless that spouse's parentage is disclaimed specifically in the order.

4. Except as otherwise provided in subsection 2 or section 80 of this act, a determination of parentage may be asserted as a defense in a subsequent proceeding seeking to adjudicate parentage of a person who was not a party to the earlier proceeding.

5. A party to an adjudication of parentage may challenge the adjudication only under law of this State other than sections 29 to 92, inclusive, of this act relating to appeal, vacation of judgment or other judicial review.

Sec. 91. In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.



1 **Sec. 92.** *Sections 29 to 92, inclusive, of this act modify, limit*
2 *and supersede the Electronic Signatures in Global and National*
3 *Commerce Act, 15 U.S.C. §§ 7001 et seq., but do not modify, limit*
4 *or supersede Section 101(c) of that act, 15 U.S.C. § 7001(c), or*
5 *authorize electronic delivery of any of the notices described in*
6 *Section 103(b) of that act, 15 U.S.C. § 7003(b).*

7 **Sec. 93.** *1. If a person who intends to be a parent of a child*
8 *conceived by assisted reproduction dies during the period between*
9 *the transfer of a gamete or embryo and the birth of the child, the*
10 *person's death does not preclude the establishment of the person's*
11 *parentage of the child if the person otherwise would be a parent of*
12 *the child under sections 29 to 92, inclusive, of this act.*

13 *2. If a person who consented in a record to assisted*
14 *reproduction by a woman who agreed to give birth to a child dies*
15 *before a transfer of gametes or embryos, the deceased person is a*
16 *parent of a child conceived by the assisted reproduction only if:*

17 *(a) Either:*

18 *(1) The person consented in a record that if assisted*
19 *reproduction were to occur after the death of the person, the*
20 *person would be a parent of the child; or*

21 *(2) The person's intent to be a parent of a child conceived*
22 *by assisted reproduction after the person's death is established by*
23 *clear and convincing evidence; and*

24 *(b) Either:*

25 *(1) The embryo is in utero not later than 36 months after*
26 *the person's death; or*

27 *(2) The child is born not later than 45 months after the*
28 *person's death.*

29 **3.** *An intended parent is not a parent of a child conceived by*
30 *assisted reproduction under a gestational agreement if the*
31 *intended parent dies before the transfer of a gamete or embryo*
32 *unless:*

33 *(a) The agreement provides otherwise; and*

34 *(b) The transfer of a gamete or embryo occurs not later than*
35 *36 months after the death of the intended parent or birth of the*
36 *child occurs not later than 45 months after the death of the*
37 *intended parent.*

38 **Sec. 94.** *1. A party to a gestational agreement may*
39 *terminate the agreement, at any time before an embryo transfer,*
40 *by giving notice of termination in a record to all other parties. If*
41 *an embryo transfer does not result in a pregnancy, a party may*
42 *terminate the agreement at any time before a subsequent embryo*
43 *transfer.*

44 *2. Unless a gestational agreement provides otherwise, on*
45 *termination of the agreement under subsection 1, the parties are*



1 *released from the agreement, except that each intended parent*
2 *remains responsible for expenses that are reimbursable under the*
3 *agreement and incurred by the gestational carrier through the*
4 *date of termination.*

5 3. *Except in a case involving fraud, neither a gestational*
6 *carrier nor the gestational carrier's spouse, domestic partner or*
7 *former spouse or domestic partner, if any, is liable to the intended*
8 *parent or parents for a penalty or liquidated damages, for*
9 *terminating a gestational agreement under this section.*

10 **Sec. 95.** NRS 126.131 is hereby amended to read as follows:

11 126.131 ~~[(1)]~~ Evidence relating to ~~[paternity]~~ *parentage* may
12 include:

13 ~~[(a)]~~ 1. Evidence of sexual intercourse between the mother and
14 alleged father at any possible time of conception.

15 ~~[(b)]~~ 2. An expert's opinion concerning the statistical
16 probability of the alleged father's ~~[paternity]~~ *parentage* based upon
17 the duration of the mother's pregnancy.

18 ~~[(c)]~~ 3. The results of any ~~[test for the typing of blood or~~
19 ~~taking of specimens for genetic identification that is:~~

20 ~~—(1) Of a type acknowledged as reliable by an organization~~
21 ~~approved by the Secretary of Health and Human Services; and~~

22 ~~—(2) Performed by a laboratory which is accredited by such an~~
23 ~~organization.~~

24 ~~—(d)]~~ *genetic testing performed in accordance with sections 53*
25 *to 69, inclusive, of this act.*

26 4. An expert's opinion concerning the results of ~~[a blood test or~~
27 ~~test for]~~ genetic ~~[identification,]~~ *testing performed in accordance*
28 *with sections 53 to 69, inclusive, of this act*, weighted in accordance
29 with evidence, if available, of the statistical probability of the
30 alleged father's ~~[paternity-~~

31 ~~(e)]~~ *parentage.*

32 5. Medical or anthropological evidence relating to the alleged
33 father's ~~[paternity]~~ *parentage* of the child based on tests performed
34 by experts.

35 ~~[(f)]~~ 6. All other evidence relevant to the issue of ~~[paternity]~~
36 *parentage* of the child.

37 ~~[2.—Bills or receipts for the costs of:~~

38 ~~—(a) Medical care received during the pregnancy;~~

39 ~~—(b) The birth of the child; or~~

40 ~~—(c) Tests for the typing of blood or taking of specimens for~~
41 ~~genetic identification to determine the paternity of the child,~~

42 ~~→ are prima facie evidence of the amounts incurred for those~~
43 ~~services and are admissible as evidence without the foundational~~
44 ~~testimony of a third party.]~~



1 **Sec. 96.** NRS 126.151 is hereby amended to read as follows:

2 126.151 ~~[1.—An action under this chapter is a civil action~~
3 ~~governed by the Nevada Rules of Civil Procedure. The mother of~~
4 ~~the child and the alleged father are competent to testify and may be~~
5 ~~compelled to testify. Subsections 3 and 4 of NRS 126.111 and NRS~~
6 ~~126.121 and 126.131 apply.~~

7 —2.] In an action against an alleged father, evidence offered by
8 the alleged father with respect to a man who is not subject to the
9 jurisdiction of the court concerning that man's sexual intercourse
10 with the mother at or about the probable time of conception of the
11 child is admissible in evidence only if the alleged father has
12 undergone and made available to the court ~~[blood tests or tests for~~
13 ~~genetic identification.]~~ the results of *genetic testing performed*
14 *pursuant to sections 53 to 69, inclusive, of this act* which show a
15 probability less than 99 percent that the alleged father is the father
16 of the child.

17 ~~[3.—The trial must be by the court without a jury.]~~

18 **Sec. 97.** NRS 126.161 is hereby amended to read as follows:

19 126.161 1. A judgment or order of a court, or a judgment or
20 order entered pursuant to an expedited process, determining the
21 existence or nonexistence of the relationship of parent and child is
22 determinative for all purposes.

23 2. If such a judgment or order of this State is at variance with
24 the child's birth certificate, the judgment or order must direct that a
25 new birth certificate be issued as provided in NRS 440.270 to
26 440.340, inclusive.

27 3. If the child is a minor, such a judgment or order of this State
28 must provide for the child's support as required by chapter 125B of
29 NRS and must include an order directing the withholding or
30 assignment of income for the payment of the support unless:

31 (a) One of the parties demonstrates and good cause is found by
32 the court, or pursuant to the expedited process, for the postponement
33 of the withholding or assignment; or

34 (b) All parties otherwise agree in writing.

35 4. Such a judgment or order of this State may:

36 (a) Contain any other provision directed against the appropriate
37 party to the proceeding, concerning the duty of support, the custody
38 and guardianship of the child, visitation with the child, the
39 furnishing of bond or other security for the payment of the
40 judgment, or any other matter in the best interest of the child.

41 (b) Direct the father to pay the reasonable expenses of the
42 mother's pregnancy and confinement. The court may limit the
43 father's liability for past support of the child to the proportion of
44 the expenses already incurred which the court deems just.



1 5. A court that enters such a judgment or order shall ensure that
2 the social security numbers of the mother and father are:

3 (a) Provided to the Division of Welfare and Supportive Services
4 of the Department of Health and Human Services.

5 (b) Placed in the records relating to the matter and, except as
6 otherwise required to carry out a specific statute, maintained in a
7 confidential manner.

8 6. As used in this section, "expedited process" means ~~at~~
9 ~~voluntary acknowledgment of paternity developed by the State~~
10 ~~Board of Health pursuant to NRS 440.283,] a voluntary~~
11 acknowledgment of parentage developed by the State Board of
12 Health pursuant to NRS 440.285, judicial procedure or an
13 administrative procedure established by this or another state, as that
14 term is defined in NRS 130.10179, to facilitate the collection of an
15 obligation for the support of a child.

16 **Sec. 98.** NRS 126.201 is hereby amended to read as follows:

17 126.201 1. ~~[At the pretrial hearing and in further~~
18 ~~proceedings.] In any proceeding held pursuant to this chapter, any~~
19 party may be represented by counsel. If a party is financially unable
20 to obtain counsel, the court may appoint counsel to represent that
21 party with respect to the determination of the existence or
22 nonexistence of the parent and child relationship and the duty of
23 support, including without limitation the expenses of the mother's
24 pregnancy and confinement, medical expenses for the birth of the
25 child and support of the child from birth until trial.

26 2. If a party is financially unable to pay the cost of a transcript,
27 the court shall furnish on request a transcript for purposes of appeal.

28 **Sec. 99.** NRS 126.223 is hereby amended to read as follows:

29 126.223 If a ~~[man] person~~ who is alleged to be ~~[the father] a~~
30 ~~parent~~ of a child in an action brought pursuant to this chapter fails
31 to plead or otherwise defend against the action as provided in the
32 Nevada Rules of Civil Procedure, the clerk of the court shall enter
33 ~~[his] the person's~~ default upon a showing of proof of service of
34 process and any other showing required pursuant to the Nevada
35 Rules of Civil Procedure.

36 **Sec. 100.** NRS 126.291 is hereby amended to read as follows:

37 126.291 1. Proceedings to compel support by a
38 nonsupporting parent may be brought in accordance with this
39 chapter. They are not exclusive of other proceedings. The court may
40 assess the usual filing fees, charges or court costs against the
41 nonsupporting parent and shall enforce their collection with the
42 other provisions of the judgment.

43 2. Except as otherwise provided in this subsection, when the
44 district attorney is requested to bring an action to compel support or
45 an action to determine ~~[paternity.] parentage,~~ the district attorney



1 may charge the requester a fee of not more than \$20 for an
2 application. This fee may not be assessed against:

3 (a) The State of Nevada when acting as a party to an action
4 brought pursuant to this chapter.

5 (b) Any person or agency requesting services pursuant to
6 chapter 130 of NRS.

7 3. If the court finds that a parent and child relationship exists, it
8 may assess against the nonsupporting parent, in addition to any
9 support obligation ordered a reasonable collection fee. If the court
10 finds that the nonsupporting parent would experience a financial
11 hardship if required to pay the fee immediately, it may order that the
12 fee be paid in installments, each of which is not more than 25
13 percent of the support obligation for each month.

14 4. All fees collected pursuant to this section must be deposited
15 in the general fund of the county and an equivalent amount must be
16 allocated to augment the county's program for the enforcement of
17 support obligations.

18 5. *As used in this section, "nonsupporting parent" means the*
19 *parent of a child born out of wedlock who has failed to provide an*
20 *equitable share of his or her child's necessary maintenance,*
21 *education and support.*

22 **Sec. 101.** NRS 126.500 is hereby amended to read as follows:

23 126.500 As used in NRS 126.500 to 126.810, inclusive, *and*
24 *sections 93 and 94 of this act*, unless the context otherwise requires,
25 the words and terms defined in NRS ~~[126.510]~~ *126.520* to
26 ~~[126.630]~~ *126.600*, inclusive, have the meanings ascribed to them
27 in those sections.

28 **Sec. 102.** NRS 126.680 is hereby amended to read as follows:

29 126.680 1. Consent by a person who intends to be a parent of
30 a child born by assisted reproduction must be in a declaration for the
31 voluntary acknowledgment of parentage, signed ~~[pursuant to NRS~~
32 ~~126.053.]~~ *in accordance with sections 39 and 40 of this act.*

33 2. Failure of a person to sign a declaration for the voluntary
34 acknowledgment of parentage required by subsection 1, before or
35 after the birth of the child, does not preclude a finding of parentage
36 if the woman and the person, during the first 2 years of the child's
37 life, resided together in the same household with the child and
38 openly held out the child as their own.

39 **Sec. 103.** NRS 126.720 is hereby amended to read as follows:

40 126.720 *Except as otherwise provided in section 93 of this*
41 *act:*

42 1. If a gestational carrier arrangement satisfies the requirements
43 of NRS 126.740 and 126.750:



1 (a) The intended parent or parents shall be considered the parent
2 or parents of the resulting child immediately upon the birth of the
3 child;

4 (b) The resulting child shall be considered the child of the
5 intended parent or parents immediately upon the birth of the child;

6 (c) Parental rights vest in the intended parent or parents
7 immediately upon the birth of the resulting child;

8 (d) Sole legal and physical custody of the resulting child vest
9 with the intended parent or parents immediately upon the birth of
10 the child; and

11 (e) Neither the gestational carrier nor her legal spouse or
12 domestic partner, if any, shall be considered the parent of the
13 resulting child.

14 2. If a gestational carrier arrangement satisfies the requirements
15 of NRS 126.740 and 126.750 and if, because of a laboratory error,
16 the resulting child is not genetically related to the intended parent or
17 either of the intended parents or any donor who donated to the
18 intended parent or parents, the intended parent or parents shall be
19 considered the parent or parents of the child, unless a determination
20 to the contrary is made by a court of competent jurisdiction in an
21 action which may only be brought by one or more genetic parents of
22 the resulting child within 60 days after the birth of the child.

23 3. The parties to a gestational carrier arrangement shall assume
24 the rights and obligations of subsections 1 and 2 if:

25 (a) The gestational carrier satisfies the eligibility requirements
26 set forth in subsection 1 of NRS 126.740;

27 (b) The intended parent or parents satisfy the requirement set
28 forth in subsection 2 of NRS 126.740; and

29 (c) The gestational carrier arrangement occurs pursuant to a
30 gestational agreement which meets the requirements set forth in
31 NRS 126.750.

32 4. Before or after the birth of the resulting child, the intended
33 parent or parents or the prospective gestational carrier or gestational
34 carrier may commence a proceeding in any district court in this
35 State to obtain an order designating the content of the birth
36 certificate issued as provided in NRS 440.270 to 440.340, inclusive.
37 If:

38 (a) A copy of the gestational agreement is attached to the
39 petition;

40 (b) The requirements of NRS 126.740 and 126.750 are satisfied;
41 and

42 (c) Any of the following applies:

43 (1) The resulting child is anticipated to be born in this State;

44 (2) The resulting child was born in this State;

45 (3) The intended parent or parents reside in this State;



1 (4) The intended parent or parents resided in this State when
2 the gestational agreement was executed;

3 (5) The gestational carrier resides in this State;

4 (6) The gestational agreement was executed in this State; or

5 (7) The medical procedures for assisted reproduction that
6 were performed pursuant to the gestational agreement and resulted
7 in pregnancy were performed in this State,

8 ↪ the court may issue an order validating the gestational agreement
9 and declaring the intended parent or parents to be the parent or
10 parents of the resulting child.

11 **Sec. 104.** NRS 126.770 is hereby amended to read as follows:

12 126.770 1. *Unless a gestational agreement expressly*
13 *provides otherwise:*

14 (a) The marriage or domestic partnership of a gestational carrier
15 after ~~[she executes a gestational]~~ *the agreement is signed by all*
16 *parties* does not affect the validity of the ~~[gestational]~~ agreement
17 ~~[and:~~

18 ~~—1. The]~~ , *the consent of [the legal] her spouse or domestic*
19 *partner [of the gestational carrier] to the [gestational] agreement is*
20 *not required [:*

21 ~~—2. The legal]~~ , *and her spouse or domestic partner [of the*
22 *gestational carrier must] is not [be] a presumed [to be the] parent of*
23 *[any resulting] a child [-] conceived by assisted reproduction under*
24 *the agreement; and*

25 (b) *The divorce, dissolution, annulment, declaration of*
26 *invalidity, legal separation or separate maintenance of the*
27 *gestational carrier after the agreement is signed by all parties does*
28 *not affect the validity of the agreement.*

29 2. *Unless a gestational agreement expressly provides*
30 *otherwise:*

31 (a) *The marriage or domestic partnership of an intended*
32 *parent after the agreement is signed by all parties does not affect*
33 *the validity of a gestational agreement, the consent of the spouse*
34 *or domestic partner of the intended parent is not required, and the*
35 *spouse or domestic partner of the intended parent is not, based on*
36 *the agreement, a parent of a child conceived by assisted*
37 *reproduction under the agreement; and*

38 (b) *The divorce, dissolution, annulment, declaration of*
39 *invalidity, legal separation or separate maintenance of an*
40 *intended parent after the agreement is signed by all parties does*
41 *not affect the validity of the agreement and the intended parents*
42 *are the parents of the child.*

43 **Sec. 105.** NRS 126.780 is hereby amended to read as follows:

44 126.780 1. A gestational carrier, her legal spouse or domestic
45 partner, if any, or the intended parent or parents are in



1 noncompliance when he, she or they breach any provision of the
2 gestational agreement or fail to meet any of the requirements of
3 NRS 126.710 to 126.810, inclusive ~~[]~~, *and sections 93 and 94 of*
4 *this act.*

5 2. In the event of noncompliance, a court of competent
6 jurisdiction shall determine the respective rights and obligations of
7 the parties to the gestational agreement based solely on the evidence
8 of the original intent of the parties.

9 3. ~~[There must be no specific]~~ *Specific* performance *is not a*
10 remedy available for breach *by a gestational carrier of a provision*
11 *in* the gestational agreement ~~[by]~~ *that* the gestational carrier ~~[that~~
12 ~~would require the gestational carrier to]~~ be impregnated ~~[]~~ ,
13 *terminate or not terminate a pregnancy or submit to medical*
14 *procedures.*

15 **Sec. 106.** NRS 128.150 is hereby amended to read as follows:

16 128.150 1. If a mother relinquishes or proposes to relinquish
17 *the child for adoption [a] and the child [who]* has:

18 (a) A presumed ~~[father]~~ *parent* pursuant to ~~[NRS 126.051;]~~
19 *section 38 of this act;*

20 (b) A ~~[father]~~ *parent* whose relationship to the child has been
21 determined by a court; or

22 (c) A ~~[father]~~ *parent* as to whom the child is a legitimate child
23 under chapter 126 of NRS, under prior law of this State or under the
24 law of another jurisdiction,

25 \rightarrow and the ~~[father]~~ *parent* has not consented to the adoption of the
26 child or relinquished the child for adoption, a proceeding must be
27 brought pursuant to this chapter and a determination made of
28 whether a parent and child relationship exists and, if so, if it should
29 be terminated.

30 2. If a mother relinquishes or proposes to relinquish for
31 adoption a child who does not have:

32 (a) A presumed ~~[father]~~ *parent* pursuant to ~~[NRS 126.051;]~~
33 *section 38 of this act;*

34 (b) A ~~[father]~~ *parent* whose relationship to the child has been
35 determined by a court;

36 (c) A ~~[father]~~ *parent* as to whom the child is a legitimate child
37 under chapter 126 of NRS, under prior law of this State or under the
38 law of another jurisdiction; or

39 (d) A ~~[father]~~ *parent* who can be identified in any other way,
40 \rightarrow or if a child otherwise becomes the subject of an adoption
41 proceeding, the agency or person to whom the child has been or is to
42 be relinquished, or the mother or the person having custody of the
43 child, shall file a petition in the district court to terminate the
44 parental rights of the ~~[father,]~~ *other parent*, unless the ~~[father's]~~



1 *other parent's* relationship to the child has been previously
2 terminated or determined not to exist by a court.

3 3. In an effort to identify and protect the interests of the
4 ~~{natural father,}~~ *other parent*, the court which is conducting a
5 proceeding pursuant to this chapter shall cause inquiry to be made of
6 the mother and any other appropriate person. The inquiry must
7 include the following:

8 (a) Whether the mother was married at the time of conception of
9 the child or at any time thereafter.

10 (b) Whether the mother was cohabiting with ~~{a man}~~ *another*
11 *person* at the time of conception or birth of the child.

12 (c) Whether the mother has received support payments or
13 promises of support with respect to the child or in connection with
14 her pregnancy.

15 (d) Whether any ~~{man}~~ *person* has formally or informally
16 acknowledged or declared ~~{his}~~ *their* possible ~~{paternity}~~ *parentage*
17 of the child.

18 4. If, after the inquiry, the ~~{natural father}~~ *other parent* is
19 identified to the satisfaction of the court, or if more than one ~~{man}~~
20 *person* is identified as a possible ~~{father,}~~ *parent*, each must be
21 given notice of the proceeding in accordance with subsection 6 or
22 with this chapter, as applicable. If any of them fails to appear or, if
23 appearing, fails to claim custodial rights, such failure constitutes
24 abandonment of the child. If the ~~{natural father}~~ *other parent* or a
25 ~~{man}~~ *person* representing ~~{himself}~~ *themselves* to be the ~~{natural~~
26 ~~father,}~~ *other parent*, claims custodial rights, the court shall proceed
27 to determine custodial rights.

28 5. If, after the inquiry, the court is unable to identify the
29 ~~{natural father}~~ *other parent* or any possible ~~{natural father}~~ *other*
30 *parent* and no person has appeared claiming to be the ~~{natural~~
31 ~~father}~~ *other parent* and claiming custodial rights, the court shall
32 enter an order terminating the unknown ~~{natural father's}~~ *person's*
33 parental rights with reference to the child. Subject to the disposition
34 of any appeal, upon the expiration of 6 months after an order
35 terminating parental rights is issued under this subsection, or this
36 chapter, the order cannot be questioned by any person in any
37 manner or upon any ground, including fraud, misrepresentation,
38 failure to give any required notice or lack of jurisdiction of the
39 parties or of the subject matter.

40 6. Notice of the proceeding must be given to every person
41 identified as ~~{the natural father}~~ *a parent* or a possible ~~{natural~~
42 ~~father}~~ *parent* in the manner provided by law and the Nevada Rules
43 of Civil Procedure for the service of process in a civil action, or in
44 any manner the court directs. Proof of giving the notice must be
45 filed with the court before the petition is heard.



1 **Sec. 107.** NRS 130.316 is hereby amended to read as follows:

2 130.316 1. The physical presence of a nonresident party who
3 is a natural person in a tribunal of this State is not required for the
4 establishment, enforcement or modification of a support order or the
5 rendition of a judgment determining parentage of a child.

6 2. An affidavit, a document substantially complying with
7 federally mandated forms or a document incorporated by reference
8 in any of them, which would not be excluded under the hearsay rule
9 in NRS 51.065 if given in person, is admissible in evidence if given
10 under penalty of perjury by a party or witness residing outside this
11 State.

12 3. A copy of the record of child-support payments certified as a
13 true copy of the original by the custodian of the record may be
14 forwarded to a responding tribunal. The copy is evidence of facts
15 asserted therein and is admissible to show whether payments were
16 made.

17 4. Copies of bills for testing for parentage of a child, and for
18 prenatal and postnatal health care of the mother and child, furnished
19 to the adverse party at least 20 days before trial are admissible in
20 evidence to prove the amount of the charges billed and that the
21 charges were reasonable, necessary and customary.

22 5. Documentary evidence transmitted from outside this State to
23 a tribunal of this State by telephone, telecopier or other electronic
24 means that do not provide an original record may not be excluded
25 from evidence on an objection based on the means of transmission.

26 6. In a proceeding under this chapter, a tribunal of this State
27 shall permit a party or witness residing outside this State to be
28 deposed or to testify under penalty of perjury by telephone,
29 audiovisual means or other electronic means at a designated tribunal
30 or other location. A tribunal of this State shall cooperate with other
31 tribunals in designating an appropriate location for the deposition or
32 testimony.

33 7. In a civil proceeding under this chapter, if a party called to
34 testify refuses to answer a question on the ground that the testimony
35 may be self-incriminating, the trier of fact may draw an adverse
36 inference from the refusal.

37 8. A privilege against the disclosure of communications
38 between a married couple does not apply in a proceeding under this
39 chapter.

40 9. The defense of immunity based on the relationship of a
41 married couple or parent and child does not apply in a proceeding
42 under this chapter.

43 10. A ~~voluntary acknowledgment of paternity developed by~~
44 ~~the State Board of Health pursuant to NRS 440.283 or a]~~ voluntary
45 acknowledgment of parentage developed by the State Board of



1 Health pursuant to NRS 440.285, certified as a true copy, is
2 admissible to establish parentage of the child.

3 **Sec. 108.** NRS 130.401 is hereby amended to read as follows:

4 130.401 1. If a support order entitled to recognition under
5 this chapter has not been issued, a responding tribunal of this State
6 with personal jurisdiction over the parties may issue a support order
7 if:

8 (a) The natural person seeking the order resides outside this
9 State; or

10 (b) The support-enforcement agency seeking the order is located
11 outside this State.

12 2. The tribunal may issue a temporary child-support order if
13 the tribunal determines that such an order is appropriate and the
14 natural person ordered to pay is:

15 (a) A presumed ~~[father]~~ *parent* of the child under ~~[subsection 1~~
16 ~~of NRS 126.051;]~~ *section 38 of this act;*

17 (b) Petitioning to have ~~[his—paternity]~~ *their parentage*
18 adjudicated;

19 (c) Identified as the ~~[father]~~ *parent* of the child through genetic
20 testing;

21 (d) An alleged ~~[father]~~ *parent* who has declined to submit to
22 genetic testing;

23 (e) Shown by clear and convincing evidence to be the ~~[father]~~
24 *parent* of the child;

25 (f) An ~~[acknowledged father or]~~ acknowledged parent as
26 provided by ~~[NRS 126.053;]~~ *sections 39 to 52, inclusive, of this*
27 *act;*

28 (g) The mother of the child; or

29 (h) A natural person who has been ordered to pay child support
30 in a previous proceeding and the order has not been reversed or
31 vacated.

32 3. Upon finding, after notice and opportunity to be heard, that
33 an obligor owes a duty of support, the tribunal shall issue a support
34 order directed to the obligor and may issue other orders pursuant to
35 NRS 130.305.

36 **Sec. 109.** NRS 56.020 is hereby amended to read as follows:

37 56.020 1. Whenever it is relevant in a civil or criminal action
38 to determine the parentage or identity of any person or corpse, the
39 court, by order, may direct any party to the action and the person
40 involved in the controversy to submit to ~~[one or more tests to obtain~~
41 ~~a biological specimen to determine the genetic markers of the~~
42 ~~specimen, to be made by qualified persons, under such restrictions~~
43 ~~and directions as the court deems proper.]~~ *genetic testing in*
44 *accordance with sections 53 to 69, inclusive, of this act.*



2. Whenever a test is ordered and made, the results of the test may be received in evidence. The order for the tests also may direct that the testimony of the experts and of the persons so examined may be taken by deposition. The opinion of any expert concerning results of genetic tests may be weighted in accordance with evidence, if available, of the statistical probability of the alleged genetic relationship. The court shall determine how and by whom the costs of the examination must be paid.

Sec. 110. NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, ~~126.141~~, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.01249, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 226.300, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300, 239.0105, 239.0113, 239.014, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150, 268.095, 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 286.110, 286.118, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.2242, 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249,



1 391.033, 391.035, 391.0365, 391.120, 391.925, 392.029, 392.147,
2 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335,
3 392.850, 393.045, 394.167, 394.16975, 394.1698, 394.447, 394.460,
4 394.465, 396.3295, 396.405, 396.525, 396.535, 396.9685,
5 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153,
6 414.280, 416.070, 422.2749, 422.305, 422A.342, 422A.350,
7 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175,
8 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 432B.5902,
9 432C.140, 432C.150, 433.534, 433A.360, 437.145, 437.207,
10 439.4941, 439.840, 439.914, 439B.420, 439B.754, 439B.760,
11 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395,
12 442.735, 442.774, 445A.665, 445B.570, 445B.7773, 447.345,
13 449.209, 449.245, 449.4315, 449A.112, 450.140, 450B.188,
14 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050,
15 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993,
16 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.535, 480.545,
17 480.935, 480.940, 481.063, 481.091, 481.093, 482.170, 482.5536,
18 483.340, 483.363, 483.575, 483.659, 483.800, 484A.469, 484E.070,
19 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160,
20 584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090,
21 603.070, 603A.210, 604A.303, 604A.710, 612.265, 616B.012,
22 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.238,
23 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425,
24 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069,
25 630.133, 630.2673, 630.30665, 630.336, 630A.555, 631.368,
26 632.121, 632.125, 632.3415, 632.405, 633.283, 633.301, 633.4715,
27 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085,
28 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075,
29 640A.220, 640B.730, 640C.580, 640C.600, 640C.620, 640C.745,
30 640C.760, 640D.190, 640E.340, 641.090, 641.221, 641.325,
31 641A.191, 641A.262, 641A.289, 641B.170, 641B.282, 641B.460,
32 641C.760, 641C.800, 642.524, 643.189, 644A.870, 645.180,
33 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,
34 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330,
35 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228,
36 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130, 665.133,
37 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480, 675.380,
38 676A.340, 676A.370, 677.243, 678A.470, 678C.710, 678C.800,
39 679B.122, 679B.124, 679B.152, 679B.159, 679B.190, 679B.285,
40 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540,
41 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110,
42 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696,
43 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538,
44 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 696C.120,
45 703.196, 704B.325, 706.1725, 706A.230, 710.159, 711.600,



1 sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and
2 section 2 of chapter 391, Statutes of Nevada 2013 and unless
3 otherwise declared by law to be confidential, all public books and
4 public records of a governmental entity must be open at all times
5 during office hours to inspection by any person, and may be fully
6 copied or an abstract or memorandum may be prepared from those
7 public books and public records. Any such copies, abstracts or
8 memoranda may be used to supply the general public with copies,
9 abstracts or memoranda of the records or may be used in any other
10 way to the advantage of the governmental entity or of the general
11 public. This section does not supersede or in any manner affect the
12 federal laws governing copyrights or enlarge, diminish or affect in
13 any other manner the rights of a person in any written book or
14 record which is copyrighted pursuant to federal law.

15 2. A governmental entity may not reject a book or record
16 which is copyrighted solely because it is copyrighted.

17 3. A governmental entity that has legal custody or control of a
18 public book or record shall not deny a request made pursuant to
19 subsection 1 to inspect or copy or receive a copy of a public book or
20 record on the basis that the requested public book or record contains
21 information that is confidential if the governmental entity can
22 redact, delete, conceal or separate, including, without limitation,
23 electronically, the confidential information from the information
24 included in the public book or record that is not otherwise
25 confidential.

26 4. If requested, a governmental entity shall provide a copy of a
27 public record in an electronic format by means of an electronic
28 medium. Nothing in this subsection requires a governmental entity
29 to provide a copy of a public record in an electronic format or by
30 means of an electronic medium if:

31 (a) The public record:

32 (1) Was not created or prepared in an electronic format; and

33 (2) Is not available in an electronic format; or

34 (b) Providing the public record in an electronic format or by
35 means of an electronic medium would:

36 (1) Give access to proprietary software; or

37 (2) Require the production of information that is confidential
38 and that cannot be redacted, deleted, concealed or separated from
39 information that is not otherwise confidential.

40 5. An officer, employee or agent of a governmental entity who
41 has legal custody or control of a public record:

42 (a) Shall not refuse to provide a copy of that public record in the
43 medium that is requested because the officer, employee or agent has
44 already prepared or would prefer to provide the copy in a different
45 medium.



(b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public record and shall not require the person who has requested the copy to prepare the copy himself or herself.

Sec. 111. NRS 422A.585 is hereby amended to read as follows:

422A.585 1. The Division shall, within the limitations of available funding, establish a program which promotes the self-sufficiency of a ~~natural father~~ *parent* whose ~~paternity~~ *parentage* is presumed pursuant to ~~NRS 126.051~~ *section 38 of this act* or a noncustodial parent of a child for whom benefits are being received by a household.

2. If a ~~natural father~~ *parent* whose ~~paternity~~ *parentage* is presumed pursuant to ~~NRS 126.051~~ *section 38 of this act* or a noncustodial parent of a child for whom benefits are being received by a household chooses to participate in the program established pursuant to subsection 1, the Division may, within the limitations of available funding, increase the amount of benefits provided to the head of the household on behalf of the child.

Sec. 112. NRS 432B.560 is hereby amended to read as follows:

432B.560 1. The court may also order:

(a) The child, a parent or the guardian to undergo such medical, psychiatric, psychological, or other care or treatment as the court considers to be in the best interests of the child.

(b) A parent or guardian to refrain from:

(1) Any harmful or offensive conduct toward the child, the other parent, the custodian of the child or the person given physical custody of the child; and

(2) Visiting the child if the court determines that the visitation is not in the best interest of the child.

(c) A reasonable right of visitation for a grandparent of the child if the child is not permitted to remain in the custody of the parents of the child.

(d) ~~Tests for the typing of blood or taking of specimens for genetic identification~~ *Genetic testing* of the child, the natural mother of the child or the alleged father of the child pursuant to ~~NRS 126.121~~ *sections 53 to 69, inclusive, of this act*.

2. The court shall order a parent or guardian to pay to the custodian an amount sufficient to support the child while the child is in the care of the custodian pursuant to an order of the court, unless the child was delivered to a provider of emergency services pursuant to NRS 432B.630. Payments for the obligation of support must be determined in accordance with the guidelines established by the Administrator of the Division of Welfare and Supportive Services of



1 the Department of Health and Human Services pursuant to NRS
2 425.620, but must not exceed the reasonable cost of the child's care,
3 including food, shelter, clothing, medical care and education. An
4 order for support made pursuant to this subsection must:

5 (a) Require that payments be made to the appropriate agency or
6 office;

7 (b) Provide that the custodian is entitled to a lien on the
8 obligor's property in the event of nonpayment of support; and

9 (c) Provide for the immediate withholding of income for the
10 payment of support unless:

11 (1) All parties enter into an alternative written agreement; or

12 (2) One party demonstrates and the court finds good cause to
13 postpone the withholding.

14 3. A court that enters an order pursuant to subsection 2 shall
15 ensure that the social security number of the parent or guardian who
16 is the subject of the order is:

17 (a) Provided to the Division of Welfare and Supportive Services
18 of the Department of Health and Human Services.

19 (b) Placed in the records relating to the matter and, except as
20 otherwise required to carry out a specific statute, maintained in a
21 confidential manner.

22 **Sec. 113.** NRS 440.280 is hereby amended to read as follows:

23 440.280 1. If a birth occurs in a hospital or the mother and
24 child are immediately transported to a hospital, the person in charge
25 of the hospital or his or her designated representative shall obtain
26 the necessary information, prepare a birth certificate, secure the
27 signatures required by the certificate and file it within 10 days with
28 the health officer of the registration district where the birth occurred.
29 The physician in attendance shall provide the medical information
30 required by the certificate and certify to the fact of birth within 72
31 hours after the birth. If the physician does not certify to the fact of
32 birth within the required 72 hours, the person in charge of the
33 hospital or the designated representative shall complete and sign the
34 certification.

35 2. If a birth occurs outside a hospital and the mother and child
36 are not immediately transported to a hospital, the birth certificate
37 must be prepared and filed by one of the following persons in the
38 following order of priority:

39 (a) The physician in attendance at or immediately after the birth.

40 (b) Any other person in attendance at or immediately after the
41 birth.

42 (c) ~~[The father, mother]~~ *A parent* or, if ~~[the father]~~ *each parent*
43 is absent ~~[and the mother is]~~ *or* incapacitated, the person in charge
44 of the premises where the birth occurred.



1 3. If a birth occurs in a moving conveyance, the place of birth
2 is the place where the child is removed from the conveyance.

3 4. In cities, the certificate of birth must be filed sooner than 10
4 days after the birth if so required by municipal ordinance or
5 regulation.

6 5. If the mother was:

7 (a) Married at the time of birth, the name of her spouse must be
8 entered on the certificate as the other parent of the child unless:

9 (1) A court has issued an order establishing that a person
10 other than the mother's spouse is the other parent of the child; or

11 (2) The mother and a person other than the mother's spouse
12 have signed ~~{a declaration for the voluntary acknowledgment of~~
13 ~~paternity developed by the Board pursuant to NRS 440.283 or}~~ a
14 declaration for the voluntary acknowledgment of parentage
15 developed by the Board pursuant to NRS 440.285.

16 (b) Widowed at the time of birth but married at the time of
17 conception, the name of her spouse at the time of conception must
18 be entered on the certificate as the other parent of the child unless:

19 (1) A court has issued an order establishing that a person
20 other than the mother's spouse at the time of conception is the other
21 parent of the child; or

22 (2) The mother and a person other than the mother's spouse
23 at the time of conception have signed ~~{a declaration for the~~
24 ~~voluntary acknowledgment of paternity developed by the Board~~
25 ~~pursuant to NRS 440.283 or}~~ a declaration for the voluntary
26 acknowledgment of parentage developed by the Board pursuant to
27 NRS 440.285.

28 6. If the mother was unmarried at the time of birth, the name of
29 the other parent may be entered on the original certificate of birth
30 only if:

31 (a) The provisions of paragraph (b) of subsection 5 are
32 applicable;

33 (b) A court has issued an order establishing that the person is the
34 other parent of the child; or

35 (c) The parents of the child have signed ~~{a declaration for the~~
36 ~~voluntary acknowledgment of paternity developed by the Board~~
37 ~~pursuant to NRS 440.283 or}~~ a declaration for the voluntary
38 acknowledgment of parentage developed by the Board pursuant to
39 NRS 440.285. If both parents execute a declaration consenting to
40 the use of the surname of one parent as the surname of the child, the
41 name of that parent must be entered on the original certificate of
42 birth and the surname of that parent must be entered thereon as the
43 surname of the child.

44 7. An order entered or a declaration executed pursuant to
45 subsection 6 must be submitted to the local health officer, the local



1 health officer's authorized representative, or the attending physician
2 or midwife before a proper certificate of birth is forwarded to the
3 State Registrar. The order or declaration must then be delivered to
4 the State Registrar for filing. The State Registrar's file of orders and
5 declarations must be sealed and the contents of the file may be
6 examined only upon order of a court of competent jurisdiction or at
7 the request of either parent or the Division of Welfare and
8 Supportive Services of the Department of Health and Human
9 Services as necessary to carry out the provisions of 42 U.S.C. §
10 654a. The local health officer shall complete the original certificate
11 of birth in accordance with subsection 6 and other provisions of this
12 chapter.

13 8. As used in this section, "court" has the meaning ascribed to
14 it in NRS 125B.004.

15 **Sec. 114.** NRS 440.285 is hereby amended to read as follows:

16 440.285 1. The Board shall:

17 (a) Develop ~~["a declaration"]~~ *declarations* to be signed under
18 penalty of perjury for the voluntary acknowledgment of parentage
19 *and the voluntary denial of parentage* in this State; and

20 (b) Distribute the declarations to each hospital or obstetric center
21 in this State.

22 2. Before providing a declaration for the acknowledgment of
23 parentage *or denial of parentage* to ~~["the mother of a child or"]~~ a
24 person who wishes to acknowledge *or deny* the parentage of a child,
25 the agencies described in paragraph (b) of subsection 1 shall ensure
26 that ~~["the mother and"]~~ the person who wishes to acknowledge *or*
27 *deny* parentage ~~["are"]~~ *is* given notice, orally and in writing, of the
28 rights, responsibilities and legal consequences of, and the
29 alternatives to, signing the declaration for the acknowledgment of
30 parentage ~~[""]~~ *or declaration for the denial of parentage*.

31 **Sec. 115.** NRS 440.287 is hereby amended to read as follows:

32 440.287 1. If a mother or a person who has signed ~~["a~~
33 ~~declaration for the voluntary acknowledgment of paternity~~
34 ~~developed by the Board pursuant to NRS 440.283 or"]~~ a declaration
35 for the voluntary acknowledgment of parentage developed by the
36 Board pursuant to NRS 440.285 with the mother rescinds the
37 acknowledgment pursuant to ~~["subsection 2 of NRS 126.053,"]~~
38 *section 46 of this act*, the State Registrar shall not issue a new
39 certificate of birth to remove the name of the person who originally
40 acknowledged ~~["paternity or"]~~ parentage ~~["as applicable,"]~~ unless a
41 court issues an order establishing that the person who acknowledged
42 ~~["paternity or"]~~ parentage ~~["as applicable,"]~~ is not the ~~["father or"]~~ parent
43 ~~["as applicable,"]~~ of the child.

44 2. As used in this section, "court" has the meaning ascribed to
45 it in NRS 125B.004.



1 **Sec. 116.** NRS 440.319 is hereby amended to read as follows:

2 440.319 1. Whenever the State Registrar receives an order
3 issued by a district court in this State pursuant to subsection 4 of
4 NRS 126.720 validating a gestational agreement and declaring the
5 intended parent or parents to be the parent or parents of the resulting
6 child, the State Registrar shall prepare and file a certificate of birth
7 in the name of the child which shows the intended parent or parents
8 as the parent or parents of the child and seal and file the order and
9 the original certificate of birth, if any. Unless the court order is
10 issued by a district court in this State for an action which was
11 originally commenced in this State, a court order concerning a
12 gestational agreement is not valid for any purpose in this State as it
13 relates to a child born in this State, including, without limitation, the
14 preparation and filing of a certificate of birth by the State Registrar.

15 2. As used in this section:

16 (a) "Gestational agreement" has the meaning ascribed to it in
17 NRS 126.570.

18 (b) "Intended parent" has the meaning ascribed to it in ~~NRS~~
19 ~~426.590.]~~ *section 16 of this act.*

20 **Sec. 117.** NRS 440.325 is hereby amended to read as follows:

21 440.325 1. In the case of the ~~[paternity or]~~ parentage of a
22 child being established by the:

23 (a) ~~[Mother and father acknowledging paternity of a child by~~
24 ~~signing a declaration for the voluntary acknowledgment of paternity~~
25 ~~developed by the Board pursuant to NRS 440.283;~~

26 ~~—(b)]~~ Mother and *father or* another person acknowledging
27 parentage of the child by signing a declaration for the voluntary
28 acknowledgment of parentage developed by the Board pursuant to
29 NRS 440.285; or

30 ~~[(e)]~~ (b) Order of a district court,

31 ↳ the State Registrar, upon the receipt of the declaration or court
32 order, shall prepare a new certificate of birth in the name of the
33 child as shown in the declaration or order with no reference to the
34 fact of legitimation.

35 2. The new certificate must be identical with the certificate
36 registered for the birth of a child born in wedlock.

37 3. Except as otherwise provided in subsection 4, the evidence
38 upon which the new certificate was made and the original certificate
39 must be sealed and filed and may be opened only upon the order of
40 a court of competent jurisdiction.

41 4. The State Registrar shall, upon the request of the Division of
42 Welfare and Supportive Services of the Department of Health and
43 Human Services, open a file that has been sealed pursuant to
44 subsection 3 to allow the Division to compare the information
45 contained in the declaration or order upon which the new certificate



1 was made with the information maintained pursuant to 42 U.S.C. §
2 654a.

3 **Sec. 118.** NRS 449.246 is hereby amended to read as follows:

4 449.246 1. Before discharging an unmarried woman who has
5 borne a child, a hospital or obstetric center shall provide to the
6 child's parents:

7 (a) The opportunity to sign, in the hospital, a declaration for the
8 voluntary acknowledgment of ~~[paternity]~~ *parentage* developed
9 pursuant to NRS ~~[440.283;]~~ *440.285;*

10 (b) Written materials about establishing ~~[paternity;]~~ *parentage;*

11 (c) The forms necessary to acknowledge ~~[paternity]~~ *parentage*
12 voluntarily;

13 (d) A written description of the rights and responsibilities of
14 acknowledging ~~[paternity;]~~ *parentage;* and

15 (e) The opportunity to speak by telephone with personnel of the
16 program for enforcement of child support who are trained to clarify
17 information and answer questions about the establishment of
18 ~~[paternity-]~~ *parentage.*

19 2. The Administrator of the Division of Welfare and
20 Supportive Services of the Department of Health and Human
21 Services shall adopt the regulations necessary to ensure that the
22 services provided by a hospital or obstetric center pursuant to this
23 section are in compliance with the regulations adopted by the
24 Secretary of Health and Human Services pursuant to 42 U.S.C. §
25 666(a)(5)(C).

26 **Sec. 119.** NRS 629.151 is hereby amended to read as follows:

27 629.151 It is unlawful to obtain any genetic information of a
28 person without first obtaining the informed consent of the person or
29 the person's legal guardian pursuant to NRS 629.181, unless the
30 information is obtained:

31 1. By a federal, state, county or city law enforcement agency to
32 establish the identity of a person or dead human body;

33 2. To determine the parentage or identity of a person pursuant
34 to NRS 56.020;

35 3. To determine the ~~[paternity]~~ *parentage* of a person pursuant
36 to NRS ~~[126.121 or]~~ 425.384 ~~[;]~~ *or sections 53 to 69, inclusive, of*
37 *this act;*

38 4. For use in a study where the identities of the persons from
39 whom the genetic information is obtained are not disclosed to the
40 person conducting the study;

41 5. To determine the presence of certain preventable or
42 inheritable disorders in an infant pursuant to NRS 442.008 or a
43 provision of federal law; or

44 6. Pursuant to an order of a court of competent jurisdiction.



1 **Sec. 120.** NRS 629.171 is hereby amended to read as follows:

2 629.171 It is unlawful to disclose or to compel a person to
3 disclose the identity of a person who was the subject of a genetic
4 test or to disclose genetic information of that person in a manner
5 that allows identification of the person, without first obtaining the
6 informed consent of that person or his or her legal guardian pursuant
7 to NRS 629.181, unless the information is disclosed:

8 1. To conduct a criminal investigation, an investigation
9 concerning the death of a person or a criminal or juvenile
10 proceeding;

11 2. To determine the parentage or identity of a person pursuant
12 to NRS 56.020;

13 3. To determine the ~~[paternity]~~ *parentage* of a person pursuant
14 to NRS ~~[426.121 or]~~ 425.384 ~~[;]~~ *or sections 53 to 69, inclusive, of*
15 *this act;*

16 4. Pursuant to an order of a court of competent jurisdiction;

17 5. By a physician and is the genetic information of a deceased
18 person that will assist in the medical diagnosis of persons related to
19 the deceased person by blood;

20 6. To a federal, state, county or city law enforcement agency to
21 establish the identity of a person or dead human body;

22 7. To determine the presence of certain preventable or
23 inheritable disorders in an infant pursuant to NRS 442.008 or a
24 provision of federal law;

25 8. To carry out the provisions of NRS 442.300 to 442.330,
26 inclusive; or

27 9. By an agency of criminal justice pursuant to NRS 179A.075.

28 **Sec. 121.** NRS 652.210 is hereby amended to read as follows:

29 652.210 1. Except as otherwise provided in subsection 2 and
30 NRS ~~[426.121 and]~~ 652.186 ~~[;]~~ *and sections 53 to 69, inclusive, of*
31 *this act*, no person other than a licensed physician, a licensed
32 optometrist, a licensed practical nurse, a registered nurse, a
33 perfusionist, a physician assistant licensed pursuant to chapter 630
34 or 633 of NRS, a certified advanced emergency medical technician,
35 a certified paramedic, a practitioner of respiratory care licensed
36 pursuant to chapter 630 of NRS, a licensed dentist or a registered
37 pharmacist may manipulate a person for the collection of specimens.
38 The persons described in this subsection may perform any
39 laboratory test which is classified as a waived test pursuant to
40 Subpart A of Part 493 of Title 42 of the Code of Federal Regulations
41 without obtaining certification as an assistant in a medical
42 laboratory pursuant to NRS 652.127.

43 2. The technical personnel of a laboratory may collect blood,
44 remove stomach contents, perform certain diagnostic skin tests or
45 field blood tests or collect material for smears and cultures.



1 **Sec. 122.** NRS 689A.0424 is hereby amended to read as
2 follows:

3 689A.0424 1. An insurer that offers or issues a policy of
4 health insurance that includes coverage for maternity care shall not
5 deny, limit or seek reimbursement for maternity care because the
6 insured is acting as a gestational carrier.

7 2. If an insured acts as a gestational carrier, the child shall be
8 deemed to be a child of the intended parent, as defined in ~~NRS~~
9 ~~126.590.~~ *section 16 of this act*, for purposes related to the policy of
10 health insurance.

11 3. As used in this section, “gestational carrier” has the meaning
12 ascribed to it in NRS 126.580.

13 **Sec. 123.** NRS 689B.03766 is hereby amended to read as
14 follows:

15 689B.03766 1. An insurer that offers or issues a policy of
16 group health insurance that includes coverage for maternity care
17 shall not deny, limit or seek reimbursement for maternity care
18 because the insured is acting as a gestational carrier.

19 2. If an insured acts as a gestational carrier, the child shall be
20 deemed to be a child of the intended parent, as defined in ~~NRS~~
21 ~~126.590.~~ *section 16 of this act*, for purposes related to the policy of
22 group health insurance.

23 3. As used in this section, “gestational carrier” has the meaning
24 ascribed to it in NRS 126.580.

25 **Sec. 124.** NRS 689C.1945 is hereby amended to read as
26 follows:

27 689C.1945 1. A carrier that offers or issues a health benefit
28 plan that includes coverage for maternity care shall not deny, limit
29 or seek reimbursement for maternity care because the insured is
30 acting as a gestational carrier.

31 2. If an insured acts as a gestational carrier, the child shall be
32 deemed to be a child of the intended parent, as defined in ~~NRS~~
33 ~~126.590.~~ *section 16 of this act*, for purposes related to the health
34 benefit plan.

35 3. As used in this section, “gestational carrier” has the meaning
36 ascribed to it in NRS 126.580.

37 **Sec. 125.** NRS 695A.1857 is hereby amended to read as
38 follows:

39 695A.1857 1. A society that offers or issues a benefit
40 contract that includes coverage for maternity care shall not deny,
41 limit or seek reimbursement for maternity care because the insured
42 is acting as a gestational carrier.

43 2. If an insured acts as a gestational carrier, the child shall be
44 deemed to be a child of the intended parent, as defined in



1 ~~[NRS 126.590.]~~ *section 16 of this act*, for purposes related to the
2 benefit contract.

3 3. As used in this section, “gestational carrier” has the meaning
4 ascribed to it in NRS 126.580.

5 **Sec. 126.** NRS 695B.1948 is hereby amended to read as
6 follows:

7 695B.1948 1. An insurer that offers or issues a contract for
8 hospital or medical services that includes coverage for maternity
9 care shall not deny, limit or seek reimbursement for maternity care
10 because the insured is acting as a gestational carrier.

11 2. If an insured acts as a gestational carrier, the child shall be
12 deemed to be a child of the intended parent, as defined in ~~[NRS~~
13 ~~126.590.]~~ *section 16 of this act*, for purposes related to the contract
14 for hospital or medical services.

15 3. As used in this section, “gestational carrier” has the meaning
16 ascribed to it in NRS 126.580.

17 **Sec. 127.** NRS 695C.1712 is hereby amended to read as
18 follows:

19 695C.1712 1. A health maintenance organization that offers
20 or issues a health care plan that includes coverage for maternity care
21 shall not deny, limit or seek reimbursement for maternity care
22 because the enrollee is acting as a gestational carrier.

23 2. If an enrollee acts as a gestational carrier, the child shall be
24 deemed to be a child of the intended parent, as defined in ~~[NRS~~
25 ~~126.590.]~~ *section 16 of this act*, for purposes related to the health
26 care plan.

27 3. As used in this section, “gestational carrier” has the meaning
28 ascribed to it in NRS 126.580.

29 **Sec. 128.** NRS 695G.1716 is hereby amended to read as
30 follows:

31 695G.1716 1. A managed care organization that offers or
32 issues a health care plan that includes coverage for maternity care
33 shall not deny, limit or seek reimbursement for maternity care
34 because the insured is acting as a gestational carrier.

35 2. If an insured acts as a gestational carrier, the child shall be
36 deemed to be a child of the intended parent, as defined in ~~[NRS~~
37 ~~126.590.]~~ *section 16 of this act*, for purposes related to the health
38 care plan.

39 3. As used in this section, “gestational carrier” has the meaning
40 ascribed to it in NRS 126.580.

41 **Sec. 129.** The amendatory provisions of this act apply to a
42 pending proceeding to adjudicate parentage commenced before
43 October 1, 2021, for an issue on which a judgment has not been
44 entered.



1 **Sec. 130.** The Legislative Counsel shall:

2 1. In preparing the Nevada Revised Statutes, use the authority
3 set forth in subsection 10 of NRS 220.120 to appropriately replace
4 references to the term “paternity” with the term “parentage” and
5 references to the terms “father” or “mother” with the term “parent”
6 in the manner provided in this act; and

7 2. In preparing supplements to the Nevada Administrative
8 Code, appropriately replace references to the term “paternity” with
9 the term “parentage” and references to the terms “father” or
10 “mother” with the term “parent” in the manner provided in this act.

11 **Sec. 131.** NRS 126.021, 126.041, 126.051, 126.053, 126.071,
12 126.081, 126.091, 126.101, 126.105, 126.111, 126.121, 126.141,
13 126.143, 126.171, 126.231, 126.510, 126.540, 126.560, 126.590,
14 126.610, 126.620, 126.630 and 440.283 are hereby repealed.

LEADLINES OF REPEALED SECTIONS

126.021 Definitions.

126.041 Establishment of relationship.

126.051 Presumptions of paternity.

**126.053 Voluntary acknowledgment of paternity or
parentage.**

**126.071 Who may bring action; when action may be
brought.**

126.081 Period of limitations.

126.091 Jurisdiction; venue.

126.101 Parties.

126.105 Service of process.

126.111 Pretrial hearing; testimony.

**126.121 Tests for typing of blood or genetic identification;
admissibility in court; effect of refusal to submit to test.**

126.141 Pretrial recommendations.

126.143 Order for temporary support of child.

126.171 Costs.

**126.231 Who may bring action; provisions of chapter
applicable to action.**

126.510 “Assisted reproduction” defined.

126.540 “Donor” defined.

126.560 “Gamete” defined.

126.590 “Intended parent” defined.

126.610 “Parent” defined.

126.620 “Record” defined.



126.630 “Sign” defined.

440.283 Voluntary acknowledgment of paternity: Board to develop and distribute declarations to be signed; certain entities to provide services and notice concerning effect of declaration.

