

1 ENGROSSED HOUSE
2 BILL NO. 1980

By: West (Josh) of the House

3 and

4 Shaw of the Senate

5
6 An Act relating to children; amending 10 O.S. 2011,
7 Section 7700-607, as amended by Section 1, Chapter
8 96, O.S.L. 2014 (10 O.S. Supp. 2016, Section 7700-
9 607), which relates to the Uniform Parentage Act;
10 adding exception to limitations of paternity actions;
11 and providing an effective date.

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

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

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

21 B. A proceeding seeking to disprove the father-child
22 relationship between a child and the child's presumed father may be
23 maintained at any time in accordance with Section 7700-608 of this
24 title if the court, prior to an order disproving the father-child
relationship, determines that:

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

4 2. The presumed father never openly held out the child as his
5 own.

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

21 D. For a child born on or after November 1, 2017, a proceeding
22 seeking to disprove the father-child relationship between a child
23 and the child's presumed or acknowledged father may be maintained at
24 any time in accordance with Section 7700-608 of this title if the

1 court determines that the mother committed fraud and genetic testing
2 shows the child is not biologically related to the presumed or
3 acknowledged father.

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

5 Passed the House of Representatives the 21st day of March, 2017.

6
7
8 Presiding Officer of the House
9 of Representatives

10 Passed the Senate the ___ day of _____, 2017.

11
12 Presiding Officer of the Senate
13
14
15
16
17
18
19
20
21
22
23
24