

§1862. Execution of acknowledgment of parentage

1. Requirements. An acknowledgment of parentage under section 1861 must:

- A. Be in a record; [PL 2015, c. 296, Pt. A, §1 (NEW); PL 2015, c. 296, Pt. D, §1 (AFF).]
 - B. Be signed, or otherwise authenticated, under penalty of perjury by the woman who gave birth to the child, other than a gestational carrier, and by the person seeking to establish parentage of the child; [PL 2021, c. 141, §5 (AMD).]
 - C. State that:
 - (1) There is no other presumed parent of the child or, if there is another presumed parent, state that parent's full name; and
 - (2) There is no other acknowledged parent, adjudicated parent or intended parent pursuant to subchapter 7 other than the woman who gave birth to the child; [PL 2021, c. 141, §5 (AMD).]
 - D. State whether there has been genetic testing and, if so, that the acknowledging person's claim of parentage is consistent with the results of the testing; and [PL 2021, c. 141, §5 (AMD).]
 - E. [PL 2021, c. 141, §5 (RP).]
 - F. State that the signatories understand that the acknowledgment is the equivalent of a court determination of parentage of the child and that a challenge to the acknowledgment is permitted only under limited circumstances and is barred after 2 years. [PL 2021, c. 141, §5 (AMD).]
- [PL 2021, c. 141, §5 (AMD).]

2. Notice. Before an acknowledgment is executed under section 1861, the woman who gave birth and the acknowledging parent must be given oral and written notice of the alternatives to, the legal consequences of and the rights and responsibilities that arise from signing the acknowledgment. [PL 2021, c. 141, §5 (AMD).]

3. Acknowledgment voidable. An acknowledgment of parentage under section 1861 is voidable if it:

- A. States that another person is a presumed parent, unless a denial of parentage signed or otherwise authenticated by the presumed parent is filed with the State Registrar of Vital Statistics; [PL 2015, c. 296, Pt. A, §1 (NEW); PL 2015, c. 296, Pt. D, §1 (AFF).]
 - B. States that another person is an acknowledged parent, adjudicated parent or intended parent; or [PL 2021, c. 141, §5 (AMD).]
 - C. Falsely denies the existence of a parent with rights of parentage of the child under this chapter. [PL 2021, c. 141, §5 (AMD).]
- [PL 2021, c. 141, §5 (AMD).]

4. Presumed parent.
[PL 2021, c. 141, §5 (RP).]

SECTION HISTORY

RR 2015, c. 1, §12 (COR). PL 2015, c. 296, Pt. A, §1 (NEW). PL 2015, c. 296, Pt. D, §1 (AFF). PL 2021, c. 141, §5 (AMD).

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