

SENATE, No. 156

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senator BRYANT

1 AN ACT concerning the establishment of paternity and amending and
2 supplementing P.L.1983, c.17.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. Section 4 of P.L.1983, c.17 (C.9:17-41) is amended to read as
8 follows:

9 4. The parent and child relationship between a child and:

10 a. The natural mother, may be established by proof of her having
11 given birth to the child, or under this act;

12 b. The natural father, may be established by proof that his paternity
13 has been adjudicated under prior law; under the laws governing
14 probate; by an order of a court of competent jurisdiction in another
15 state; by the father's designation as the child's father on the child's birth
16 certificate which is signed by the father; by an acknowledgement of
17 paternity signed by the father, upon the birth of the child and with the
18 consent of the mother; or under this act;

19 c. An adoptive parent, may be established by proof of adoption;

20 d. The natural mother or the natural father, may be terminated by
21 an order of a court of competent jurisdiction in granting a judgment of
22 adoption or as the result of an action to terminate parental rights.

23 (cf: P.L.1983, c.17, s.4)

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25 2. (New section) An acknowledgement of paternity pursuant to
26 subsection b. of section 1 of P.L. c. (C.) (now pending before
27 the Legislature as this bill) may be rescinded by the father within one
28 year of the signing of the acknowledgement if the father proves the
29 acknowledgement is false. If no rescission is made by the father within
30 one year of signing the acknowledgement, it shall be binding upon the
31 father as an order of paternity.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 3. This act shall take effect immediately.

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STATEMENT

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6 This bill provides for a father to establish paternity of a child by
7 designating himself as the child's father on the child's birth certificate
8 which is signed by the father or by his signing of an acknowledgement
9 of paternity upon the birth of the child and with the consent of the
10 mother. With respect to the acknowledgement of paternity, the bill
11 provides a one year period in which the father may rescind the
12 acknowledgement provided he can prove it false.

13 It is the sponsor's intent to encourage acknowledgement of
14 paternity as soon after the birth of a child as possible so that, in the
15 event of the necessity for child support, time is not wasted in making
16 the paternity determination and support can be obtained promptly.

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Provides for establishment of paternity in certain circumstances.