

HCS HB 1258, 1259 & 1260 -- ACKNOWLEDGMENT OF PATERNITY AND
CONSENT TO AN ADOPTION

SPONSOR: Largent (Kelly, 24)

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on
Children and Families by a vote of 14 to 0.

This substitute specifies that a mother can execute a voluntary
acknowledgment of paternity if:

- (1) Her parental rights have not been voluntarily or
involuntarily terminated; or
- (2) Her consent to adoption or waiver of consent to adoption has
not been accepted and approved by a court of competent
jurisdiction.

A court may order the Bureau of Vital Statistics within the
Department of Health and Senior Services to rescind any amended
birth certificate if it was issued based upon an acknowledgment
of paternity by a mother whose parental rights have been
terminated or whose consent to adoption or waiver of consent to
adoption has been accepted by a court prior to the acknowledgment
of paternity.

Consent to the adoption of a child is not required of a man who
has reason to believe he is the biological father of a newborn
child but who has not provided consistent prenatal financial
support to the mother and consistent payment for prenatal, natal,
and postnatal medical care for the mother and baby unless
actively thwarted from doing so by the mother and is not required
of a man whose consent is not required under Section 453.030,
RSMo.

A man whose consent to adoption is not required under Sections
453.030 or 453.040, RSMo, waives his right to intervene in an
action for termination of parental rights or for adoption or to
file a paternity action for a child after a petition for adoption
or termination of parental rights has been filed unless he can
establish that he has previously developed a consistent and
substantial relationship with the child, including by providing,
unless actively thwarted from doing so by the mother of the
child:

- (1) Consistent prenatal financial support;
- (2) Consistent payment of prenatal and natal medical care for
the mother and baby;

(3) Consistent child support payments commensurate with his ability to pay;

(4) Consistent contact and visitation with the child; and

(5) Assistance with educational and medical care of the child.

FISCAL NOTE: No impact on state funds in FY 2013, FY 2014, and FY 2015.

PROPONENTS: Supporters say that the bills address the problem of biological fathers disrupting adoption proceedings. The bills prevent a woman who has consented to an adoption from completing an acknowledgment of paternity after that consent is completed.

Testifying for the bills were Representative Kelly (24); and Mary Beck, University of Missouri School of Law.

OPPONENTS: There was no opposition voiced to the committee.