

1
2
3
4
5
6
7
8
9
10
11

12
13
14
15
16
17
18
19
20

H.278

Introduced by Representatives Grad of Moretown and LaLonde of South
Burlington

Referred to Committee on

Date:

Subject: Parentage; acknowledgement or denial of parentage

Statement of purpose of bill as introduced: This bill proposes to change the
timing of the rescission process for an acknowledgment or denial of parentage
and to clarify when the Department of Health may release various documents
relating to an acknowledgment of parentage, denial of parentage, and
rescission of these documents.

An act relating to acknowledgment or denial of parentage

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 15C V.S.A. § 307 is amended to read:

§ 307. TIMING OF RECISSION

(a) A person may rescind an acknowledgment of parentage or denial of
parentage under this chapter by any of the following methods:

(1) Filing a rescission with the Department of Health within 60 days
after the effective date of the acknowledgment or denial. The signing of the
rescission shall be witnessed and signed by at least one other person.

1 (2) Commencing a court proceeding within 60 days after:
2 (A) the effective date of the acknowledgment or denial, as provided in
3 section 304 of this title; or

4 ~~(B)~~(3) Challenging the acknowledgment or denial within the earlier
5 of 60 days after the effect date of the acknowledgement or denial or within
6 60 days after the date of the first court hearing in a proceeding in which the
7 signatory is a party to adjudicate an issue relating to the child, including a
8 proceeding seeking child support.

9 (b) If an acknowledgment or denial of parentage is rescinded under this
10 section, any associated acknowledgment or denial of parentage becomes
11 invalid, and the Department of Health shall notify the person who gave birth to
12 the child and any person who signed a an acknowledgment or denial of
13 parentage of the child that the acknowledgment or denial of parentage has been
14 rescinded. ~~Failure to give notice required by this section does not affect the~~
15 ~~validity of the rescission.~~

16 Sec. 2. 15C V.S.A. § 311 is amended to read:

17 § 311. RELEASE OF INFORMATION

18 (a) The Department of Health ~~may release information relating to an~~
19 ~~acknowledgment of parentage under section 301 of this title as provided in 18~~
20 V.S.A. § 5002 shall provide the completed following forms only to the parties

1 who signed the document, the Office of Child Support, and the Family

2 Services Division of the Department of Children and Families:

3 (1) acknowledgment of parentage,

4 (2) voluntary acknowledgment of parentage,

5 (3) denial of parentage, and

6 (4) rescission of these documents.

7 (b) The Health Department shall release the forms to the Office of Child
8 Support only upon request and the Office of Child Support may use the forms
9 for the sole purpose of initiating a parentage or support proceeding on behalf of
10 a dependent child as defined in 33 V.S.A. § 3901.

11 (c) The Health Department shall release the forms to the Family Services
12 Division of the Department for Children and Families only upon request and
13 the Family Services Division may use the forms for the sole purpose of
14 addressing parentage or support proceedings relating to a child who is in the
15 care of the Department for Children and Families.

16 Sec. 3. EFFECTIVE DATE

17 This act shall take effect on passage.