

By: Senator(s) Ross

To: Public Health and
Welfare

SENATE BILL NO. 2697

1 AN ACT TO AMEND SECTION 93-9-28, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE PROCEDURES FOR VOLUNTARY ACKNOWLEDGEMENT OF PATERNITY
3 BY ELIMINATING THE TWO-YEAR LIMITATION FOR FILING THE VOLUNTARY
4 ACKNOWLEDGEMENT OF PATERNITY FORM WITH THE DEPARTMENT OF HEALTH;
5 AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 SECTION 1. Section 93-9-28, Mississippi Code of 1972, is
8 amended as follows:

9 93-9-28. (1) The Mississippi Department of Health in
10 cooperation with the Mississippi Department of Human Services
11 shall develop a form and procedure which may be used to secure a
12 voluntary acknowledgement of paternity from the mother and father
13 of any child born out of wedlock in Mississippi. The form shall
14 clearly state on its face that the execution of the
15 acknowledgement of paternity shall result in the same legal effect
16 as if the father and mother had been married at the time of the
17 birth of the child. When such form has been completed according
18 to the established procedure and the signatures of both the mother
19 and father have been notarized, then such voluntary
20 acknowledgement shall constitute a full determination of the legal
21 parentage of the child. The completed voluntary acknowledgement
22 of paternity shall be filed * * * with the Bureau of Vital
23 Statistics of the Mississippi Department of Health. The name of
24 the father shall be entered on the certificate of birth upon
25 receipt of the completed voluntary acknowledgement.

26 (2) The Mississippi Department of Health and the Mississippi
27 Department of Human Services shall cooperate to establish

28 procedures to facilitate the voluntary acknowledgement of
29 paternity by both father and mother at the time of the birth of
30 any child born out of wedlock. Such procedures shall establish
31 responsibilities for each of the departments and for hospitals,
32 birthing centers, midwives, and/or other birth attendants to seek
33 and report voluntary acknowledgements of paternity. In
34 establishing such procedures, the departments shall provide for
35 obtaining the Social Security account numbers of both the father
36 and mother on voluntary acknowledgements.

37 (3) Upon the birth of a child out of wedlock, the hospital,
38 birthing center, midwife or other birth attendant shall provide an
39 opportunity for the child's mother and natural father to complete
40 an acknowledgement of paternity by giving the mother and natural
41 father the appropriate forms and information developed through the
42 procedures established in paragraph (2). The hospital, birthing
43 center, midwife or other birth attendant shall be responsible for
44 providing printed information, and audio visual material if
45 available, related to the acknowledgement of paternity, and shall
46 be required to provide notary services needed for the completion
47 of acknowledgements of paternity. The information described above
48 shall be provided to the mother and natural father, if present and
49 identifiable, within twenty-four (24) hours of birth or before the
50 mother is released. Such information, including forms, brochures,
51 pamphlets, video tapes and other media, shall be provided at no
52 cost to the hospital, birthing center or midwife by the
53 Mississippi State Department of Health, the Department of Human
54 Services or other appropriate agency.

55 SECTION 2. This act shall take effect and be in force from
56 and after July 1, 1999.