

By: Senator(s) Nunnelee, Johnson (19th),
Hawks

To: Judiciary

SENATE BILL NO. 2845

1 AN ACT TO AMEND SECTION 93-9-28, MISSISSIPPI CODE OF 1972, TO
2 REVISE ACKNOWLEDGEMENT OF PATERNITY; AND FOR RELATED PURPOSES.
3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

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

7 93-9-28. (1) The Mississippi Department of Health in
8 cooperation with the Mississippi Department of Human Services
9 shall develop a form and procedure which may be used to secure a
10 voluntary acknowledgement of paternity from the mother and father
11 of any child born out of wedlock in Mississippi. The form shall
12 clearly state on its face that the execution of the
13 acknowledgement of paternity shall result in the same legal effect
14 as if the father and mother had been married at the time of the
15 birth of the child. When such form has been completed according
16 to the established procedure and the signatures of both the mother
17 and father have been notarized, then such voluntary
18 acknowledgement shall constitute a full determination of the legal
19 parentage of the child. The completed voluntary acknowledgement
20 of paternity shall be filed * * * with the Bureau of Vital
21 Statistics of the Mississippi Department of Health. The name of
22 the father shall be entered on the certificate of birth upon
23 receipt of the completed voluntary acknowledgement.

24 (2) The Mississippi Department of Health and the Mississippi
25 Department of Human Services shall cooperate to establish
26 procedures to facilitate the voluntary acknowledgement of
27 paternity by both father and mother at the time of the birth of

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

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

53 SECTION 2. This act shall take effect and be in force from
54 and after its passage.