

FINAL BILL REPORT

SHB 3092

C 111 L 04

Synopsis as Enacted

Brief Description: Making technical correction to the uniform parentage act.

Sponsors: By House Committee on Juvenile Justice & Family Law (originally sponsored by Representative Delvin).

House Committee on Juvenile Justice & Family Law
Senate Committee on Children & Family Services & Corrections

Background:

The parent-child relationship is governed by the Uniform Parentage Act (UPA). The UPA was adopted by Washington in 1975 and became effective in 1976. In 2002 the UPA was repealed and the UPA of 2002 was adopted. The UPA of 2002 is substantially the same as the older version, but it made changes to the procedures for establishing paternity. The UPA statute has become virtually the exclusive procedure used for the determination of paternity.

To determine the existence of a father-child relationship, the UPA distinguishes between a presumed father, an acknowledged father, and an adjudicated father.

A presumed father may contest the presumption through a proceeding in court to adjudicate parentage or through the statutory process of denial of paternity. Under the statutory denial of paternity process, a court proceeding to adjudicate parentage is not required. Rather, the denial becomes effective upon the birth of the child or the filing of the document with the state registrar of vital statistics, whichever occurs later.

A person who has signed an acknowledgment or denial of paternity may rescind the acknowledgment or denial of paternity by commencing a court proceeding to rescind before the earlier of either (a) 60 days after the effective date of the filing of the acknowledgment or denial, or (b) the date of the first hearing in a proceeding to adjudicate an issue related to the child.

Summary:

Language is clarified in the statute authorizing rescission of the acknowledgment or denial of paternity. The removal of the words "of the filing" clarifies the meaning of "effective date," to be either the birth of the child or the filing of the acknowledgment or denial of paternity.

Votes on Final Passage:

House	96	0
Senate	46	0

Effective: June 10, 2004