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18-5711

## State of Minnesota

## HOUSE OF REPRESENTATIVES н. г. №. 3027 NINETIETH SESSION

02/26/2018

Authored by Scott The bill was read for the first time and referred to the Committee on Civil Law and Data Practices Policy

1.1	A bill for an act
1.2 1.3	relating to family law; amending the effect of a recognition of parentage; amending Minnesota Statutes 2016, section 257.75, subdivision 3.
1.4	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
1.5	Section 1. Minnesota Statutes 2016, section 257.75, subdivision 3, is amended to read:
1.6	Subd. 3. Effect of recognition. (a) Subject to subdivision 2 and section 257.55,
1.7	subdivision 1, paragraph (g) or (h), the recognition has the force and effect of a judgment
1.8	or order determining the existence of the parent and child relationship under section 257.66.
1.9	If the conditions in section 257.55, subdivision 1, paragraph (g) or (h), exist, the recognition
1.10	creates only a presumption of paternity for purposes of sections 257.51 to 257.74. Once a
1.11	recognition has been properly executed and filed with the state registrar of vital records, if
1.12	there are no competing presumptions of paternity; then:
1.13	(1) a judicial or administrative court may not allow further action to determine parentage
1.14	regarding the signator of the recognition-; and
1.15	(2) the custody rights of the mother and father are considered equal until a temporary
1.16	or permanent order is entered determining custody and parenting time.
1.17	An action to determine custody and parenting time may be commenced pursuant to chapter
1.18	518 without an adjudication of parentage. Until a temporary or permanent order is entered
1.19	granting custody to another, the mother has sole custody.
1.20	(b) Following commencement of an action to determine custody or parenting time under
1.21	chapter 518, the court may, pursuant to section 518.131, grant temporary parenting time
1.22	rights and temporary custody to either parent.

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2.1	(c) The recognition is:
2.2	(1) a basis for bringing an action for the following:
2.3	(i) to award temporary custody or parenting time pursuant to section 518.131;
2.4	(ii) to award permanent custody or parenting time to either parent;
2.5	(iii) establishing a child support obligation which may include up to the two years
2.6	immediately preceding the commencement of the action;
2.7	(iv) ordering a contribution by a parent under section 256.87;
2.8	(v) ordering a contribution to the reasonable expenses of the mother's pregnancy and
2.9	confinement, as provided under section 257.66, subdivision 3; or
2.10	(vi) ordering reimbursement for the costs of blood or genetic testing, as provided under
2.11	section 257.69, subdivision 2;
2.12	(2) determinative for all other purposes related to the existence of the parent and child
2.13	relationship; and
2.14	(3) entitled to full faith and credit in other jurisdictions.
2.15	<b>EFFECTIVE DATE.</b> This section is effective August 1, 2018, and applies to

2.16 recognitions of parentage executed on or after that date.