257E.24 SPOUSE'S DISPUTE OF PARENTAGE; LIMITATIONS.

(a) Except as otherwise provided in paragraph (b), an individual who, at the time of a child's birth, is the spouse of the parent who gave birth to the child by assisted reproduction may not challenge the individual's parentage of the child unless:

(1) not later than two years after the birth of the child, the spouse commences a proceeding to adjudicate the spouse's parentage of the child; and

(2) the court finds that the spouse did not consent to the assisted reproduction before, on, or after birth of the child, or withdrew consent under section 257E.26.

(b) A proceeding to adjudicate a spouse's parentage of a child born by assisted reproduction may be commenced at any time if the court determines:

(1) the spouse neither provided a gamete for, nor consented to, the assisted reproduction;

(2) the spouse and the parent who gave birth to the child have not cohabited since the probable time of assisted reproduction; and

(3) the spouse never openly held out the child as the spouse's child.

(c) This section applies to a spouse's dispute of parentage even if the spouse's marriage is declared invalid after assisted reproduction occurs.

History: *2024 c 101 art 4 s 6*