



General Assembly

January Session, 2021

Raised Bill No. 6321

LCO No. 1755



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING ADOPTION AND IMPLEMENTATION OF THE CONNECTICUT PARENTAGE ACT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective January 1, 2022*) Sections 1 to 86, inclusive,
2 of this act, may be cited as the Connecticut Parentage Act.

3 Sec. 2. (NEW) (*Effective January 1, 2022*) As used in sections 1 to 86,
4 inclusive, of this act:

5 (1) "Acknowledged parent" means a person who has established a
6 parent-child relationship under sections 24 to 35, inclusive, of this act.

7 (2) "Adjudicated parent" means a person who has been adjudicated
8 to be a parent of a child by a court of competent jurisdiction.

9 (3) "Alleged genetic parent" means a person who is alleged to be, or
10 alleges that the person is, a genetic parent or possible genetic parent of
11 a child whose parentage has not been adjudicated. "Alleged genetic
12 parent" includes an alleged genetic father and alleged genetic mother.
13 "Alleged genetic parent" shall not include:

14 (A) A presumed parent;

15 (B) A person whose parental rights have been terminated or declared
16 not to exist; or

17 (C) A donor.

18 (4) "Assisted reproduction" means a method of causing pregnancy
19 other than sexual intercourse. "Assisted reproduction" includes:

20 (A) Intrauterine, intracervical or vaginal insemination;

21 (B) Donation of gametes;

22 (C) Donation of embryos;

23 (D) In-vitro fertilization and transfer of embryos; and

24 (E) Intracytoplasmic sperm injection.

25 (5) "Birth" includes stillbirth.

26 (6) "Child" means a person of any age whose parentage may be
27 determined under sections 1 to 86, inclusive, of this act.

28 (7) "Child support agency" means the Office of Child Support
29 Services within the Department of Social Services, established pursuant
30 to section 17b-179 of the general statutes, as amended by this act, and
31 authorized to administer the child support program mandated by Title
32 IV-D of the Social Security Act, 42 USC 651 et seq., as amended from
33 time to time.

34 (8) "Determination of parentage" means establishment of a parent-
35 child relationship by a court adjudication or signing of a valid
36 acknowledgment of parentage under sections 24 to 35, inclusive, of this
37 act.

38 (9) "Donor" means a person who provides a gamete or gametes or an

39 embryo or embryos intended for use in assisted reproduction, whether
40 or not for consideration. "Donor" shall not include:

41 (A) A person who gives birth to a child conceived by assisted
42 reproduction, except as provided in sections 60 to 77, inclusive, of this
43 act; or (B) A parent under sections 51 to 59, inclusive, of this act, or an
44 intended parent under sections 60 to 77, inclusive, of this act.

45 (10) "Gamete" means a sperm or egg and includes any part of a sperm
46 or egg.

47 (11) "Embryo" means a cell or group of cells containing a diploid
48 component of chromosomes or a group of such cells, not including a
49 gamete, that has the potential to develop into a live human being if
50 transferred into the body of a person under conditions in which
51 gestation may be reasonably expected to occur.

52 (12) "Genetic testing" means an analysis of genetic markers to identify
53 or exclude a genetic relationship.

54 (13) "Intended parent" means a person, married or unmarried, who
55 manifests an intent to be legally bound as a parent of a child conceived
56 by assisted reproduction.

57 (14) "Parent" means a person who has established a parent-child
58 relationship under section 19 of this act.

59 (15) "Parentage" or "parent-child relationship" means the legal
60 relationship between a child and a parent of the child.

61 (16) "Person" means a natural person of any age.

62 (17) "Presumed parent" means a person who under section 36 of this
63 act is presumed to be a parent of a child, unless the presumption is
64 overcome in a judicial proceeding.

65 (18) "Record" means information that is inscribed on a tangible

66 medium or that is stored in an electronic or other medium and is
67 retrievable in perceivable form.

68 (19) "Sign" means, with present intent to authenticate or adopt a
69 record:

70 (A) To execute or adopt a tangible symbol; or

71 (B) To attach to or logically associate with the record an electronic
72 symbol, sound or process.

73 (20) "Signatory" means a person who signs a record.

74 (21) "State" means a state of the United States, the District of
75 Columbia, Puerto Rico, the United States Virgin Islands or any territory
76 or insular possession under the jurisdiction of the United States. "State"
77 includes a federally recognized Indian tribe.

78 (22) "Transfer" means a procedure for assisted reproduction by which
79 an embryo or sperm is placed in the body of the person who will give
80 birth to the child.

81 (23) "Witnessed" means that at least one person who is authorized to
82 sign has signed a record to verify that the person personally observed a
83 signatory sign the record.

84 Sec. 3. (NEW) (*Effective January 1, 2022*) (a) Sections 1 to 86, inclusive,
85 of this act apply to a determination of parentage.

86 (b) Sections 1 to 86, inclusive, of this act do not create, affect, enlarge
87 or diminish the equitable powers of the courts of this state or parental
88 rights or duties under the law of this state other than this act.

89 Sec. 4. (NEW) (*Effective January 1, 2022*) The court shall apply the law
90 of this state to determine parentage. The applicable law shall not depend
91 on: (1) The place of birth of the child; or (2) the past or present residence
92 of the child.

93 Sec. 5. (NEW) (*Effective January 1, 2022*) (a) Petitions to adjudicate
94 parentage shall be filed in the Family Division of the Superior Court,
95 except that: (1) Petitions by an alleged genetic parent seeking to establish
96 the alleged genetic parent's parentage pursuant to section 46b-172a of
97 the general statutes, as amended by this act, shall be filed in the Probate
98 Court; (2) petitions to determine parentage after the death of the child
99 or the person whose parentage is to be determined shall be filed in the
100 Probate Court; (3) petitions for parentage orders under sections 59, 70
101 and 74 of this act, as well as petitions to validate a genetic surrogacy
102 agreement under sections 72 and 75 of this act, shall be filed in the
103 Probate Court; and (4) petitions by the IV-D agencies, in IV-D cases, as
104 defined in section 46b-231 of the general statutes, as amended by this
105 act, and in petitions brought under sections 46b-301 to 46b-425,
106 inclusive, of the general statutes, shall be filed with the clerk for the
107 Family Support Magistrate Division.

108 (b) If the petition is filed by the Office of Child Support Services of
109 the Department of Social Services, the petition shall be accompanied by
110 an affidavit of the parent whose rights have been assigned. In cases
111 where the assignor refuses to provide an affidavit, the affidavit may be
112 submitted by the Office of Child Support Services, provided the
113 affidavit alone shall not support a default judgment on the issue of
114 parentage.

115 (c) There shall be no right to a jury trial in an action to adjudicate
116 parentage.

117 (d) A petition filed in the Superior Court or the Family Support
118 Magistrate Court to adjudicate parentage may be brought any time prior
119 to the child's eighteenth birthday, provided liability for support of such
120 child shall be limited to the three years next preceding the date of the
121 filing of any such petition.

122 Sec. 6. (NEW) (*Effective January 1, 2022*) Subject to the provisions of
123 sections 1 to 86, inclusive, of this act, a proceeding to adjudicate

124 parentage may be maintained by: (1) The child, if the child is eighteen
125 years of age or older or, if the child is a minor, through a representative
126 of the child; (2) the person who gave birth to the child, unless a court
127 has adjudicated that such person is not a parent; (3) a person who is a
128 parent of the child under sections 1 to 86, inclusive, of this act; (4) a
129 person who seeks to be adjudicated a parent under the provisions of
130 sections 1 to 86, inclusive, of this act; (5) the Department of Social
131 Services or the town welfare administrator; (6) the Department of
132 Children and Families; (7) a person deemed by the court to have a
133 sufficient interest to file a claim for parentage on behalf of a deceased
134 parent; or (8) a representative authorized by the law of this state, other
135 than sections 1 to 86, inclusive, of this act, to act for a person who
136 otherwise would be entitled to maintain a proceeding but is deceased,
137 incapacitated or a minor.

138 Sec. 7. (NEW) (*Effective January 1, 2022*) (a) Notice of a proceeding to
139 adjudicate parentage shall be given, by the petitioner for proceedings in
140 the Superior Court and by the Court for proceedings in the Probate
141 Court, to the following persons: (1) The person who gave birth to the
142 child, unless a court has adjudicated that such person is not a parent; (2)
143 a presumed, acknowledged or adjudicated parent of the child; (3) a
144 person whose parentage of the child is to be adjudicated; (4) a
145 representative authorized by the law of this state to act for a person who
146 otherwise would be entitled to maintain a proceeding but is deceased,
147 incapacitated or a minor; (5) the fiduciary of an estate of deceased
148 persons otherwise entitled to notice; (6) in proceedings involving a
149 public assistance recipient, the Attorney General, who shall be and
150 remain a party to any parentage proceeding and to any proceedings
151 after judgment in such action; and (7) the Commissioner of Children and
152 Families, in proceedings involving a child for whom a petition has been
153 filed pursuant to section 46b-129 of the general statutes, as amended by
154 this act, and who is under the care and custody or guardianship of the
155 Department of Children and Families.

156 (b) A person entitled to notice under subsection (a) of this section has

157 a right to intervene in the proceeding.

158 (c) Failure to provide notice in accordance with subsection (a) of this
159 section shall not render a judgment void. Failure to provide notice in
160 accordance with subsection (a) of this section shall not preclude a person
161 entitled to notice under said subsection from bringing a proceeding
162 under sections 1 to 86, inclusive, of this act.

163 Sec. 8. (NEW) (*Effective January 1, 2022*) (a) A court may adjudicate a
164 person's parentage of a child only if the court has personal jurisdiction
165 over that person.

166 (b) A court of this state with jurisdiction to adjudicate parentage may
167 exercise personal jurisdiction over a nonresident person, or the guardian
168 or conservator of the person consistent with the laws of this state.

169 Sec. 9. (NEW) (*Effective January 1, 2022*) (a) Except as provided in
170 subsections (b) to (d), inclusive, of this section, venue for a proceeding
171 to adjudicate parentage is in the judicial district in which:

172 (1) The child resides; or

173 (2) If the child shall not reside in this state, the petitioner or
174 respondent resides.

175 (b) In actions filed in the Probate Court by an alleged genetic parent
176 seeking to establish the alleged genetic parent's parentage, the petition
177 shall be filed in the probate district where the child or birth parent
178 resides.

179 (c) In actions filed in the Probate Court to determine parentage after
180 the death of the child or the person whose parentage is to be determined,
181 the petition shall be filed in the probate district where the child,
182 petitioner, or person whose parentage is to be determined resides or
183 resided at the time of death.

184 (d) In actions filed in the Probate Court by persons seeking parentage

185 orders under sections 59, 70 and 74 of this act, or by persons seeking to
186 validate a genetic surrogacy agreement under sections 72 and 75 of this
187 act, the petition shall be filed in the probate district where the child or a
188 party to the proceeding resides.

189 (e) In IV-D cases, as defined in section 46b-231 of the general statutes,
190 as amended by this act, and in petitions brought under sections 46b-301
191 to 46b-425, inclusive, of the general statutes, venue for a proceeding to
192 adjudicate parentage is in the Family Support Magistrate Division
193 serving the judicial district where the parent who gave birth or the
194 alleged parent resides.

195 Sec. 10. (NEW) (*Effective January 1, 2022*) (a) In a proceeding under
196 sections 1 to 86, inclusive, of this act, a court may issue a temporary
197 order for child support if the order is consistent with the law of this state
198 other than the provisions of sections 1 to 86, inclusive, of this act, and
199 the person ordered to pay support is: (1) A presumed parent of the child;
200 (2) petitioning to be adjudicated a parent; (3) identified as a genetic
201 parent through genetic testing under section 47 of this act; (4) an alleged
202 genetic parent who has declined to submit to genetic testing; (5) shown
203 by clear and convincing evidence to be a parent of the child; or (6) a
204 parent under sections 1 to 86, inclusive, of this act.

205 (b) A temporary order may include a provision for custody and
206 visitation under the law of this state other than the provisions of sections
207 1 to 86, inclusive, of this act.

208 Sec. 11. (NEW) (*Effective January 1, 2022*) Except as provided in
209 sections 46b-129, 46b-129a and 46b-172a of the general statutes, as
210 amended by this act, a minor child is a permissive party but not a
211 necessary party to a proceeding under sections 1 to 86, inclusive, of this
212 act.

213 Sec. 12. (NEW) (*Effective January 1, 2022*) (a) For proceedings in the
214 Superior Court on family relations matters as described in section 46b-1
215 of the general statutes, there shall be a presumption that courtroom

216 proceedings shall be open to the public and that documents filed with
217 the court shall be available to the public. Closure of the courtroom in
218 family relations matters and the sealing of files and limited disclosure
219 of documents in family relations matters shall be in accordance with the
220 requirements prescribed in the Connecticut Practice Book.

221 (b) For proceedings in Juvenile Court, access to records is governed
222 by section 46b-124 of the general statutes.

223 (c) For proceedings in the Probate Court, members of the public may
224 observe proceedings and may view court records, unless otherwise
225 provided by law or directed by the court.

226 Sec. 13. (NEW) (*Effective January 1, 2022*) The court may dismiss a
227 proceeding under sections 1 to 86, inclusive, of this act for want of
228 prosecution only without prejudice. An order of dismissal for want of
229 prosecution purportedly with prejudice is void and has only the effect
230 of a dismissal without prejudice.

231 Sec. 14. (NEW) (*Effective January 1, 2022*) (a) An order adjudicating
232 parentage shall identify the child in a manner provided by the law of
233 this state other than sections 1 to 86, inclusive, of this act.

234 (b) Except as provided in subsection (c) of this section, the court may
235 assess filing fees, reasonable attorney's fees, fees for genetic testing,
236 other costs and necessary travel and other reasonable expenses incurred
237 in a proceeding under sections 1 to 86, inclusive, of this act. Attorney's
238 fees awarded under this subsection may be paid directly to the attorney,
239 and the attorney may enforce the order in the attorney's own name.

240 (c) The court may not assess fees, costs or expenses in a proceeding
241 under sections 1 to 86, inclusive, of this act against a child support
242 agency of this state or another state, except as provided by the law of
243 this state other than sections 1 to 86, inclusive, of this act.

244 (d) In a proceeding under sections 1 to 86, inclusive, of this act, a copy

245 of a bill for genetic testing or prenatal or postnatal health care for the
246 person who gave birth to the child or for the child, provided to the
247 adverse party not later than ten days before the date of a hearing, is
248 admissible to establish: (1) The amount of the charge billed; and (2) that
249 the charge is reasonable and necessary.

250 Sec. 15. (NEW) (*Effective January 1, 2022*) On request of a party and for
251 good cause, the court in a proceeding under sections 1 to 86, inclusive,
252 of this act may order the name of the child changed. If the court order
253 changing the child's name varies from the name on the child's birth
254 certificate, the court shall order the Department of Public Health to issue
255 an amended birth certificate.

256 Sec. 16. (NEW) (*Effective January 1, 2022*) (a) A party to an adjudication
257 of parentage by a court acting under circumstances that satisfy the
258 jurisdiction requirements of the applicable laws of this state, including
259 the provisions of this act, and any person who received notice of the
260 proceeding are bound by the adjudication.

261 (b) In a proceeding for dissolution of marriage, annulment or legal
262 separation, the court is deemed to have made an adjudication of
263 parentage of a child if the court acts under circumstances that satisfy the
264 jurisdictional requirements of the applicable laws of this state, including
265 the provisions of this act, and the final order: (1) Expressly identifies the
266 child as a "child of the marriage" or "issue of the marriage" or includes
267 similar words indicating that both spouses are parents of the child; or
268 (2) provides for support of the child by a spouse unless that spouse's
269 parentage is disclaimed specifically in the order.

270 (c) A determination of parentage may be asserted as a defense in a
271 subsequent proceeding seeking to adjudicate parentage of a person who
272 was not a party to the earlier proceeding.

273 (d) A party to an adjudication of parentage may challenge the
274 adjudication only under the law of this state other than the provisions
275 of sections 1 to 86, inclusive, of this act relating to appeal, opening or

276 setting aside judgments or other judicial review.

277 Sec. 17. (NEW) (*Effective January 1, 2022*) (a) If a child has an
278 adjudicated parent, a proceeding to challenge the adjudication, brought
279 by a person who was a party to the adjudication or received notice under
280 section 7 of this act, is governed by the Connecticut Practice Book and
281 other provisions of the general statutes concerning the opening or
282 setting aside of judgments.

283 (b) If a child has an adjudicated parent, the following rules apply to a
284 proceeding to challenge the adjudication of parentage brought by a
285 person, other than the child, who has standing under section 6 of this
286 act and was not a party to the adjudication and did not receive notice
287 under section 7 of this act:

288 (1) The person shall commence the proceeding not later than two
289 years after the effective date of the adjudication, unless the person did
290 not know and could not reasonably have known of the person's
291 potential parentage due to a material misrepresentation or concealment,
292 in which case the proceeding shall be commenced not later than one
293 year after the date of discovery of the person's potential parentage.

294 (2) The court may permit the proceeding only if the court finds
295 permitting the proceeding is in the best interest of the child.

296 (3) If the court permits the proceeding, the court shall adjudicate
297 parentage under section 23 of this act.

298 Sec. 18. (NEW) (*Effective January 1, 2022*) A proceeding under sections
299 1 to 86, inclusive, of this act is subject to the law of this state other than
300 said sections, which govern the health, safety, privacy and liberty of a
301 child or other person who could be affected by disclosure of information
302 that could identify the child or other person, including address,
303 telephone number, digital contact information, place of employment,
304 Social Security number and the child's day care facility or school.

305 Sec. 19. (NEW) (*Effective January 1, 2022*) A parent-child relationship
306 is established between a person and a child if:

307 (1) The person gives birth to the child, except as otherwise provided
308 in sections 60 to 77, inclusive, of this act;

309 (2) There is a presumption under subdivision (1) or (2) of subsection
310 (a) of section 36 of this act of the person's parentage of the child, unless
311 the presumption is overcome in a judicial proceeding;

312 (3) There is a presumption under subdivision (3) of subsection (a) of
313 section 36 of this act, and the person is adjudicated a parent of the child
314 or acknowledges parentage of the child under sections 24 to 35,
315 inclusive, of this act;

316 (4) The person is adjudicated a parent of the child under section 38 of
317 this act;

318 (5) The person is adjudicated a parent of the child under sections 40
319 to 50, inclusive, of this act;

320 (6) The person adopts the child;

321 (7) The person acknowledges parentage of the child under sections
322 24 to 35, inclusive, of this act, unless the acknowledgment is rescinded
323 under section 30 of this act or successfully challenged under section 31
324 of this act;

325 (8) The person's parentage of the child is established under sections
326 51 to 59, inclusive, of this act;

327 (9) The person's parentage of the child is established under sections
328 60 to 77, inclusive, of this act; or

329 (10) The court is deemed to have made an adjudication of parentage
330 pursuant to subsection (b) of section 16 of this act.

331 Sec. 20. (NEW) (*Effective January 1, 2022*) A parent-child relationship

332 extends equally to every child and parent, regardless of the marital
333 status or gender of the parent or the circumstances of the birth of the
334 child.

335 Sec. 21. (NEW) (*Effective January 1, 2022*) Unless parental rights are
336 terminated, a parent-child relationship established under sections 1 to
337 86, inclusive, of this act applies for all purposes.

338 Sec. 22. (NEW) (*Effective January 1, 2022*) To the extent practicable, a
339 provision of sections 1 to 86, inclusive, of this act applicable to a father-
340 child relationship or applicable to a mother-child relationship shall
341 apply to any parent-child relationship, regardless of the gender of the
342 parent.

343 Sec. 23. (NEW) (*Effective January 1, 2022*) (a) Except as provided in this
344 act, in a proceeding to adjudicate competing claims of parentage of a
345 child by two or more persons, the court shall adjudicate parentage in the
346 best interest of the child, based on:

347 (1) The age of the child;

348 (2) The length of time during which each person assumed the role of
349 parent of the child;

350 (3) The nature of the relationship between the child and each person;

351 (4) The harm to the child if the relationship between the child and
352 each person is not recognized;

353 (5) The basis for each person's claim to parentage of the child;

354 (6) Other equitable factors arising from the disruption of the
355 relationship between the child and each person, or the likelihood of
356 other harm to the child; and

357 (7) Any other factor the court deems relevant to the child's best
358 interests.

359 (b) If a person challenges parentage based on the results of genetic
360 testing, in addition to the factors listed in subsection (a) of this section,
361 the court shall consider:

362 (1) The facts surrounding the discovery that the person might not be
363 a genetic parent of the child; and

364 (2) The length of time between the time that the person was placed
365 on notice that the person might not be a genetic parent and the
366 commencement of the proceeding.

367 (c) The court may adjudicate a child to have more than two parents
368 under sections 1 to 86, inclusive, of this act if the court finds that failure
369 to recognize more than two parents would be detrimental to the child.
370 A finding of detriment to the child shall not require a finding of
371 unfitness of any parent or person seeking an adjudication of parentage.
372 In determining detriment to the child, the court shall consider all
373 relevant factors, including the harm if the child is removed from a stable
374 placement with a person who has fulfilled the child's physical needs and
375 psychological needs for care and affection and has assumed the role for
376 a substantial period.

377 (d) If a court has adjudicated a child to have more than two parents
378 under sections 1 to 86, inclusive, of this act, the law of this state other
379 than this act applies to determinations of legal and physical custody of,
380 or visitation with, such child, and to obligations to support such child,
381 except that the child support guidelines established pursuant to section
382 46b-215 of the general statutes shall not apply, but a court of competent
383 jurisdiction shall consider the child support guidelines and the criteria
384 for such awards established in sections 46b-84 of the general statutes,
385 46b-86 of the general statutes, 46b-130 of the general statutes, 46b-171 of
386 the general statutes, as amended by this act, 46b-172 of the general
387 statutes, as amended by this act, 46b-215 of the general statutes, as
388 amended by this act, 17b-179 of the general statutes, and 17b-745 of the
389 general statutes in making or modifying orders of support of the child.

390 Sec. 24. (NEW) (*Effective January 1, 2022*) A person who gave birth to
391 a child and an alleged genetic parent of the child, a presumed parent
392 under section 36 of this act, or an intended parent under sections 51 to
393 59, inclusive, of this act may sign an acknowledgment of parentage to
394 establish the parentage of the child.

395 Sec. 25. (NEW) (*Effective January 1, 2022*) (a) An acknowledgment of
396 parentage under section 24 of this act shall:

397 (1) Be in a record signed by the person who gave birth to the child
398 and by the person seeking to establish a parent-child relationship, and
399 the signatures shall be attested by a notarial officer or witnessed;

400 (2) State that the child whose parentage is being acknowledged shall
401 not have another acknowledged or adjudicated parent or person who is
402 a parent of the child under sections 51 to 77, inclusive, of this act other
403 than the person who gave birth to the child;

404 (3) State that the child whose parentage is being acknowledged shall
405 not, at the time of signing, have a birth certificate identifying as a parent
406 a person other than the person who gave birth to the child or the person
407 acknowledging parentage;

408 (4) State that no action is pending in which the child's parentage is at
409 issue, unless all parties to the action agree to the establishment of the
410 signatory's parentage pursuant to the acknowledgment; and

411 (5) State that the signatories understand that the acknowledgment is
412 the equivalent of an adjudication of parentage of the child and that a
413 challenge to the acknowledgment is permitted only under limited
414 circumstances.

415 (b) An acknowledgment of parentage shall not be binding unless,
416 prior to the signing of any acknowledgment of parentage, the
417 signatories are given oral and written notice of the alternatives to, the
418 legal consequences of, and the rights and responsibilities that arise from

419 signing such acknowledgment.

420 (1) The notice to both signatories shall explain:

421 (A) The right to rescind the acknowledgment, as set forth in section
422 31 of this act, including the address where such notice of rescission
423 should be sent;

424 (B) That the acknowledgment cannot be challenged after sixty days,
425 except in court or before a family support magistrate upon a showing of
426 fraud, duress or material mistake of fact;

427 (C) That the acknowledgment of parentage may result in rights of
428 custody and visitation for the acknowledged parent, as well as a duty of
429 financial support from the acknowledged parent; and

430 (D) That, if the person acknowledging parentage is acknowledging
431 that they are the child's genetic parent, genetic testing is available to
432 establish parentage with a high degree of accuracy and, under certain
433 circumstances, at state expense; and if either person is not certain of the
434 child's genetic parentage as it pertains to the acknowledgment of
435 parentage, neither person should sign the form.

436 (2) The notice to the person acknowledging parentage shall include,
437 but not be limited to:

438 (A) Notice that the person will be liable for the child's financial and
439 medical support at least until the child's eighteenth birthday; that such
440 support shall be enforced by income withholding; and that failure to
441 provide such support could result in a civil or criminal court proceeding
442 being brought against the person.

443 (B) Notice that, if the person acknowledging parentage is
444 acknowledging that they are the child's genetic parent, that person has
445 the right to contest parentage, including the right to appointment of
446 counsel, a genetic test to determine parentage and a trial by the Superior
447 Court or a family support magistrate.

448 (c) An acknowledgment of parentage is void if, at the time of signing:

449 (1) A person, other than the person who gave birth to the child or the
450 person seeking to establish parentage, is an acknowledged or
451 adjudicated parent or a parent under sections 51 to 77, inclusive, of this
452 act;

453 (2) The child whose parentage is being acknowledged has a birth
454 certificate identifying as a parent a person other than the person who
455 gave birth to the child or the person acknowledging parentage; or

456 (3) An action is pending in which the child's parentage is at issue,
457 unless all parties to the action agree to the establishment of the
458 signatory's parentage pursuant to the acknowledgment.

459 Sec. 26. (NEW) (*Effective January 1, 2022*) (a) An acknowledgment of
460 parentage may be signed before or after the birth of the child, except that
461 an acknowledgment signed by a presumed parent under subdivision (3)
462 of subsection (a) of section 36 of this act may be signed only after the
463 presumption is satisfied.

464 (b) An acknowledgment of parentage takes effect on the birth of the
465 child or filing of the document with the Department of Public Health,
466 whichever occurs later.

467 (c) An acknowledgment of parentage signed by a minor is valid if the
468 acknowledgment complies with the provisions of sections 1 to 86,
469 inclusive, of this act.

470 Sec. 27. (NEW) (*Effective January 1, 2022*) Except as provided in section
471 31 of this act, an acknowledgment of parentage that complies with
472 sections 24 to 35, inclusive, of this act and is filed with the Department
473 of Public Health is equivalent to an adjudication by the Superior Court
474 of parentage of the child and confers on the acknowledged parent all
475 rights and duties of a parent.

476 Sec. 28. (NEW) (*Effective January 1, 2022*) The Department of Public

477 Health may not charge a fee for filing an acknowledgment of parentage.

478 Sec. 29. (NEW) (*Effective January 1, 2022*) A court conducting a judicial
479 proceeding or an administrative agency conducting an administrative
480 proceeding is not required or permitted to ratify an unchallenged
481 acknowledgment of parentage.

482 Sec. 30. (NEW) (*Effective January 1, 2022*) (a) A signatory may rescind
483 an acknowledgment of parentage by filing with the Department of
484 Public Health a rescission in a signed record that is attested by a notarial
485 officer or witnessed, before the earlier of:

486 (1) Sixty days after the effective date under section 26 of this act of the
487 acknowledgment; or

488 (2) The date of the first hearing before a court in a proceeding, to
489 which the signatory is a party, to adjudicate an issue relating to the child,
490 including a proceeding that establishes support.

491 (b) If an acknowledgment of parentage is rescinded under subsection
492 (a) of this section, the Department of Public Health shall notify the
493 person who gave birth to the child that the acknowledgment has been
494 rescinded. Failure to give the notice required by this subsection shall not
495 affect the validity of the rescission.

496 Sec. 31. (NEW) (*Effective January 1, 2022*) (a) After the period for
497 rescission under section 30 of this act expires, an acknowledgment of
498 parentage may be challenged only on the basis of fraud, duress or
499 material mistake of fact which, in cases in which the acknowledgment
500 has been signed by the birth parent and an alleged genetic parent, may
501 include evidence that the alleged genetic parent is not the genetic
502 parent. A party challenging an acknowledgment of parentage has the
503 burden of proof.

504 (b) Every signatory to an acknowledgment of parentage shall be
505 made a party to a proceeding to challenge the acknowledgment.

506 (c) By signing an acknowledgment of parentage, a signatory submits
507 to personal jurisdiction in this state in a proceeding to challenge the
508 acknowledgment, effective on the filing of the acknowledgment with
509 the Department of Public Health.

510 (d) During the pendency of a challenge to the acknowledgment of
511 parentage, any responsibilities, including the duty to pay child support,
512 arising from the acknowledgment shall continue except for good cause
513 shown.

514 (e) If the court or family support magistrate determines that the
515 challenger has met the challenger's burden of proof under subsection (a)
516 of this section, the acknowledgment of parentage shall be set aside only
517 if such court or family support magistrate determines that doing so is in
518 the best interest of the child, based on the relevant factors set forth in
519 section 23 of this act.

520 (f) If the court or family support magistrate determines that the
521 requirements of subsections (a) and (e) of this section are satisfied, the
522 court or family support magistrate shall order the Department of Public
523 Health to amend the birth record of the child to reflect the legal
524 parentage of the child.

525 (g) In cases involving a child who is or has been supported by the
526 state, whenever the court or family support magistrate finds that the
527 person challenging the acknowledgment of parentage is not a parent
528 because such person has met the burden of proof under subsections (a)
529 and (e) of this section, the Department of Social Services shall refund to
530 such person any money paid by such person to the state during any
531 period such child was supported by the state.

532 Sec. 32. (NEW) (*Effective January 1, 2022*) This state shall give full faith
533 and credit to an acknowledgment of parentage effective in another state
534 if the acknowledgment was in a signed record and otherwise complies
535 with the law of the other state.

536 Sec. 33. (NEW) (*Effective January 1, 2022*) (a) The Department of Public
537 Health shall prescribe forms for an acknowledgment of parentage. Such
538 forms shall include the minimum requirements specified by the
539 Secretary of the United States Department of Health and Human
540 Services, contained in 45 CFR 303.5, as amended from time to time, and
541 shall be in compliance with the provisions of this act. Any
542 acknowledgment or rescission executed in accordance with this
543 subsection shall be filed in the parentage registry established and
544 maintained by the Department of Public Health under section 19a-42a
545 of the general statutes, as amended by this act.

546 (b) A valid acknowledgment of parentage is not affected by a later
547 modification of the form under subsection (a) of this section.

548 Sec. 34. (NEW) (*Effective January 1, 2022*) The Department of Public
549 Health may release information relating to an acknowledgment of
550 parentage to a signatory of the acknowledgment, the child if such child
551 is eighteen years of age or older, a guardian of the person whose
552 parentage is acknowledged, an attorney representing a person to whom
553 such information may be released, a court, a federal agency, an
554 authorized representative of the Department of Social Services, the child
555 support agency of this state, any agency acting under a cooperative or
556 purchase of service agreement with the child support agency of this
557 state, and the child support agency of another state.

558 Sec. 35. (NEW) (*Effective January 1, 2022*) The Commissioner of Public
559 Health may adopt regulations in accordance with the provisions of
560 chapter 54 of the general statutes to implement the provisions of sections
561 24 to 34, inclusive, of this act.

562 Sec. 36. (NEW) (*Effective January 1, 2022*) (a) Except as otherwise
563 provided in sections 1 to 86, inclusive, of this act, a person is presumed
564 to be a parent of a child if:

565 (1) The person and the person who gave birth to the child are married
566 to each other and the child is born during the marriage, whether the

567 marriage is or could be declared invalid;

568 (2) The person and the person who gave birth to the child were
569 married to each other and the child is born not later than three hundred
570 days after the date on which the marriage is terminated by death,
571 dissolution or annulment, or after a decree of separation; or

572 (3) The person, jointly with another parent, resided in the same
573 household with the child and openly held out the child as the person's
574 own child from the time the child was born or adopted and for a period
575 of at least two years thereafter, including any period of temporary
576 absence.

577 (b) The parentage of a presumed parent under subdivision (3) of
578 subsection (a) of this section shall be established by a court adjudication
579 or signing of a valid acknowledgment of parentage under sections 24 to
580 35, inclusive, of this act.

581 (c) A presumption of parentage under this section may be overcome
582 only by court order under section 37 of this act, and competing claims
583 to parentage shall be resolved under section 23 of this act.

584 (d) In a proceeding pending before the Probate Court brought under
585 sections 45a-603 to 45a-622, inclusive, of the general statutes, and
586 sections 45a-715 to 45a-717, inclusive, of the general statutes, if notice is
587 given to a presumed parent under this section and such presumed
588 parent's parentage has not been established by a court adjudication or
589 signing of a valid acknowledgment of parentage under sections 24 to 35,
590 inclusive, of this act, the Probate Court shall have jurisdiction over the
591 presumed parent's parentage determination.

592 (e) In a proceeding pending before the civil session of the superior
593 court for juvenile matters, regarding a child for whom a petition under
594 section 46b-129 of the general statutes has been filed, a presumed parent
595 under subdivision (3) of subsection (a) of this section, identified as such
596 by an existing parent or by the child and not having established

597 parentage by a court adjudication or signing of a valid acknowledgment
598 of parentage under sections 24 to 35, inclusive, of this act, shall be given
599 notice of the proceeding, but shall not be treated as a parent until the
600 signing of a valid acknowledgment of parentage under sections 24 to 35,
601 inclusive, of this act, or a court adjudication that the person is a parent.
602 The juvenile court in which the petition under section 46b-129 of the
603 general statutes is pending shall have jurisdiction over such person's
604 parentage determination and the Department of Children and Families
605 shall have standing to request such parentage determination.

606 Sec. 37. (NEW) (*Effective January 1, 2022*) (a) A proceeding to
607 determine whether a presumed parent is a parent of a child may be
608 commenced: (1) Before the child reaches eighteen years of age; or (2)
609 after the child reaches eighteen years of age, but only if the child initiates
610 the proceeding.

611 (b) Except as provided in subsection (e) of this section, a presumption
612 of parentage under section 36 of this act cannot be overcome after the
613 child attains two years of age unless the court determines:

614 (1) The presumed parent is not a genetic parent, never resided with
615 the child, and never held out the child as the presumed parent's child;
616 or

617 (2) The child has more than one presumed parent; or

618 (3) The alleged genetic parent did not know of the potential genetic
619 parentage of the child and could not reasonably have known on account
620 of material misrepresentation or concealment, and the alleged genetic
621 parent commences a proceeding to challenge a presumption of
622 parentage under section 36 of this act not later than one year after the
623 date of discovering the potential genetic parentage. If the person is
624 adjudicated to be the genetic parent of the child, the court may not
625 disestablish a presumed parent.

626 (c) The following rules apply in a proceeding to adjudicate a

627 presumed parent's parentage of a child if the person who gave birth to
628 the child is the only other person with a claim to parentage of the child:

629 (1) If no party to the proceeding challenges the presumed parent's
630 parentage of the child, the court shall adjudicate the presumed parent
631 to be a parent of the child.

632 (2) If the presumed parent is identified under section 45 of this act as
633 a genetic parent of the child and that identification is not successfully
634 challenged under said section, the court shall adjudicate the presumed
635 parent to be a parent of the child.

636 (3) If the presumed parent is not identified under section 45 of this act
637 as a genetic parent of the child and the presumed parent or the person
638 who gave birth to the child challenges the presumed parent's parentage
639 of the child, the court shall adjudicate the parentage of the child in the
640 best interest of the child based on the factors under subsections (a) and
641 (b) of section 23 of this act.

642 (d) Subject to the limitations set forth in this section and section 36 of
643 this act, if in a proceeding to adjudicate a presumed parent's parentage
644 of a child, another person in addition to the person who gave birth to
645 the child asserts a claim to parentage of the child, the court shall
646 adjudicate parentage under section 23 of this act.

647 (e) A presumption of parentage under subdivision (3) of subsection
648 (a) of section 36 of this act, can be challenged if such other parent openly
649 held out the child as the presumed parent's child due to duress, coercion
650 or threat of harm. Evidence of duress, coercion or threat of harm may
651 include: (1) Whether within the ten-year period preceding the date of
652 the proceeding, the presumed parent: (A) Has been convicted of
653 domestic assault, sexual assault or sexual exploitation of the child or a
654 parent of the child; (B) has been convicted of a family violence crime, as
655 defined in section 46b-38a of the general statutes; (C) is or has been
656 subject to an order of protection pursuant to sections 46b-15, 46b-16a,
657 46b-38c, or 54-1k of the general statutes; (D) was found to have

658 committed abuse against the child or a parent of the child; or (E) was
659 substantiated for abuse against the child or a parent of the child; (2) a
660 sworn affidavit from a domestic violence counselor or sexual assault
661 counselor, as defined in section 52-146k of the general statutes, provided
662 the person who had confidential communications with the domestic
663 violence counselor or sexual assault counselor has waived the privilege,
664 in which case disclosure shall be made pursuant to section 52-146k of
665 the general statutes; or (3) other credible evidence of abuse against the
666 parent of the child or the child, including, but not limited to, the parent's
667 or child's sworn affidavit or an affidavit from a social service provider,
668 health care provider, clergy person, attorney, or other professional from
669 whom the parent or child sought assistance regarding the abuse.

670 Sec. 38. (NEW) (*Effective January 1, 2022*) (a) In a proceeding to
671 adjudicate parentage of a person who claims to be a de facto parent of
672 the child, if there is only one other person who is a parent or has a claim
673 to parentage of the child, the court shall adjudicate the person who
674 claims to be a de facto parent to be a parent of the child if the person
675 demonstrates by clear and convincing evidence that:

676 (1) The person resided with the child as a regular member of the
677 child's household for at least one year, unless the court finds good cause
678 to accept a shorter period of residence as a regular member of the child's
679 household;

680 (2) The person engaged in consistent caretaking of the child which
681 may include regularly caring for the child's needs and making day-to-
682 day decisions regarding the child individually or cooperatively with
683 another legal parent;

684 (3) The person undertook full and permanent responsibilities of a
685 parent of the child without expectation of financial compensation;

686 (4) The person held out the child as the person's child;

687 (5) The person established a bonded and dependent relationship with

688 the child that is parental in nature;

689 (6) Another parent of the child fostered or supported the bonded and
690 dependent relationship required under subdivision (5) of this
691 subsection; and

692 (7) Continuing the relationship between the person and the child is
693 in the best interest of the child.

694 (b) A parent of the child may use evidence of duress, coercion or
695 threat of harm to contest an allegation that the parent fostered or
696 supported a bonded and dependent relationship as described in
697 subdivision (6) of subsection (a) of this section. Such evidence may
698 include: (1) Whether within a ten-year period preceding the date of the
699 proceeding, the person seeking to be adjudicated a de facto parent: (A)
700 Has been convicted of domestic assault, sexual assault or sexual
701 exploitation of the child or a parent of the child; (B) has been convicted
702 of a family violence crime, as defined in section 46b-38a of the general
703 statutes; (C) is or has been subject to an order of protection pursuant to
704 sections 46b-15, 46b-16a, 46b-38c, or 54-1k of the general statutes; (D)
705 was found to have committed abuse against the child or a parent of the
706 child; or (E) was substantiated for abuse against the child or a parent of
707 the child; (2) a sworn affidavit from a domestic violence counselor or
708 sexual assault counselor, as defined in section 52-146k of the general
709 statutes, provided the person who had confidential communications
710 with the domestic violence counselor or sexual assault counselor has
711 waived the privilege, in which case disclosure shall be made pursuant
712 to section 52-146k of the general statutes; or (3) other credible evidence
713 of abuse against the parent of the child or the child, including, but not
714 limited to, the parent's or child's sworn affidavit or an affidavit from a
715 social service provider, health care provider, clergy person, attorney, or
716 other professional from whom the parent or child sought assistance
717 regarding the abuse.

718 (c) Subject to other limitations set forth in this section and section 39

719 of this act, if, in a proceeding to adjudicate parentage of a person who
720 claims to be a de facto parent of the child, there is more than one other
721 person who is a parent or has a claim to parentage of the child and the
722 court determines that the requirements of subsection (a) of this section
723 are satisfied, the court shall adjudicate parentage under section 23 of this
724 act, provided the adjudication of a person as a de facto parent under this
725 section shall not disestablish the parentage of any other parent, nor limit
726 any other parent's rights under the laws of this state.

727 Sec. 39. (NEW) (*Effective January 1, 2022*) (a) A proceeding to establish
728 parentage of a child under this section may be commenced only by a
729 person who: (1) Is alive when the proceeding is commenced; and (2)
730 claims to be a de facto parent of the child.

731 (b) A person seeking to be adjudicated a de facto parent of a child
732 shall file a petition with the court before the child reaches eighteen years
733 of age. The child is required to be alive at the time of the filing. The
734 petition shall include a verified affidavit alleging facts to support the
735 existence of a de facto parent relationship with the child. The petition
736 and affidavit shall be served on all parents and legal guardians of the
737 child and any other party to the proceeding.

738 (c) An adverse party, parent or legal guardian may file a pleading and
739 verified affidavit in response to the petition that shall be served on all
740 parties to the proceeding.

741 (d) The court shall determine on the basis of the pleadings and
742 affidavits whether the person seeking to be adjudicated a de facto parent
743 has presented prima facie evidence of the criteria for de facto parentage
744 as provided in subsection (a) of section 38 of this act and, therefore, has
745 standing to proceed with a parentage action. The court, in its sole
746 discretion, may hold a hearing to determine disputed facts that are
747 necessary and material to the issue of standing.

748 (e) The court may enter an interim order concerning contact between
749 the child and a person with standing seeking adjudication under this

750 section and section 38 of this act as a de facto parent of the child.

751 Sec. 40. (NEW) (*Effective January 1, 2022*) As used in sections 40 to 50,
752 inclusive, of this act:

753 (1) "Combined relationship index" means the product of all tested
754 relationship indices.

755 (2) "Ethnic or racial group" means, for the purpose of genetic testing,
756 a recognized group that a person identifies as the person's ancestry or
757 part of the ancestry or that is identified by other information.

758 (3) "Hypothesized genetic relationship" means an asserted genetic
759 relationship between a person and a child.

760 (4) "Probability of parentage" means, for the ethnic or racial group to
761 which a person alleged to be a parent belongs, the probability that a
762 hypothesized genetic relationship is supported, compared to the
763 probability that a genetic relationship is supported between the child
764 and a random person of the ethnic or racial group used in the
765 hypothesized genetic relationship, expressed as a percentage
766 incorporating the combined relationship index and a prior probability.

767 (5) "Relationship index" means a likelihood ratio that compares the
768 probability of a genetic marker given a hypothesized genetic
769 relationship and the probability of the genetic marker given a genetic
770 relationship between the child and a random person of the ethnic or
771 racial group used in the hypothesized genetic relationship.

772 Sec. 41. (NEW) (*Effective January 1, 2022*) (a) Sections 40 to 50,
773 inclusive, of this act govern genetic testing of a person in a proceeding
774 to adjudicate parentage, whether the person: (1) Voluntarily submits to
775 testing; or (2) is tested under an order of the court or a child support
776 agency.

777 (b) Genetic testing may not be used: (1) To challenge the parentage of
778 a person who is a parent under sections 51 to 77, inclusive, of this act; or

779 (2) to establish the parentage of a person who is a donor.

780 Sec. 42. (NEW) (*Effective January 1, 2022*) (a) Except as provided in
781 sections 40 to 50, inclusive, of this act, in any proceeding under sections
782 1 to 86, inclusive, of this act to adjudicate parentage, the court or a family
783 support magistrate shall order the child and any other person to submit
784 to genetic testing if a request for testing is supported by the sworn
785 statement of a party:

786 (1) Alleging a reasonable possibility that the person is the child's
787 genetic parent; or

788 (2) Denying genetic parentage of the child.

789 (b) A child support agency shall require genetic testing only if there
790 is no presumed, acknowledged or adjudicated parent of a child other
791 than the person who gave birth to the child.

792 (c) The court, a family support magistrate or child support agency
793 may not order in utero genetic testing.

794 (d) If two or more persons are subject to court-ordered genetic testing,
795 the court may order that testing be completed concurrently or
796 sequentially.

797 (e) Genetic testing of a person who gave birth to a child is not a
798 condition precedent to testing of the child and a person whose genetic
799 parentage of the child is being determined. If the person is unavailable
800 or declines to submit to genetic testing, the court may order genetic
801 testing of the child and each person whose genetic parentage of the child
802 is being adjudicated.

803 (f) In a proceeding to adjudicate the parentage of a child having a
804 presumed parent or a person who claims to be a parent under section 38
805 of this act, the court may deny a motion for genetic testing of the child
806 and any other person after considering the factors set forth in
807 subsections (a) and (b) of section 23 of this act.

808 (g) If a person requesting genetic testing is barred under section 17,
809 31, 37, 48 or 52 of this act from establishing the person's parentage, the
810 court shall deny the request for genetic testing.

811 (h) A default judgment may be ordered against a person who refuses
812 to submit to court-mandated genetic testing under this section and in
813 accordance with subsection (g) of section 46b-160 of the general statutes,
814 as amended by this act.

815 Sec. 43. (NEW) (*Effective January 1, 2022*) (a) Genetic testing shall be of
816 a type reasonably relied on by experts in the field of genetic testing and
817 performed in a testing laboratory accredited by:

818 (1) The AABB, formerly known as the American Association of Blood
819 Banks, or a successor to its functions; or

820 (2) An accrediting body designated by the Secretary of the United
821 States Department of Health and Human Services.

822 (b) A specimen used in genetic testing may consist of a sample or a
823 combination of samples of blood, buccal cells, bone, hair or other body
824 tissue or fluid. The specimen used in the testing need not be of the same
825 kind for each person undergoing genetic testing.

826 (c) Based on the ethnic or racial group of a person undergoing genetic
827 testing, a testing laboratory shall determine the databases from which
828 to select frequencies for use in calculating a relationship index. If a
829 person or a child support agency objects to the laboratory's choice, the
830 following rules apply:

831 (1) Not later than thirty days after the date of receipt of the report of
832 the test, the objecting person or child support agency may request the
833 court to require the laboratory to recalculate the relationship index
834 using an ethnic or racial group different from that used by the
835 laboratory.

836 (2) The person or the child support agency objecting to the

837 laboratory's choice under this subsection shall: (A) If the requested
838 frequencies are not available to the laboratory for the ethnic or racial
839 group requested, provide the requested frequencies compiled in a
840 manner recognized by accrediting bodies; or (B) engage another
841 laboratory to perform the calculations.

842 (3) The laboratory may use its own statistical estimate if there is a
843 question which ethnic or racial group is appropriate. The laboratory
844 shall calculate the frequencies using statistics, if available, for any other
845 ethnic or racial group requested.

846 (d) If, after recalculation of the relationship index under subsection
847 (c) of this section using a different ethnic or racial group, genetic testing
848 under section 45 of this act shall not identify a person as a genetic parent
849 of a child, the court may require a person who has been tested to submit
850 to additional genetic testing to identify a genetic parent.

851 Sec. 44. (NEW) (*Effective January 1, 2022*) (a) A report of genetic testing
852 shall be in a record and signed under penalty of perjury by a designee
853 of the testing laboratory. A report complying with the requirements of
854 sections 40 to 50, inclusive, of this act is self-authenticating.

855 (b) Documentation from a testing laboratory of the following
856 information is sufficient to establish a reliable chain of custody and
857 allow the results of genetic testing to be admissible without testimony:

858 (1) The name and photograph of each person whose specimen has
859 been taken;

860 (2) The name of the person who collected each specimen;

861 (3) The place and date each specimen was collected;

862 (4) The name of the person who received each specimen in the testing
863 laboratory; and

864 (5) The date each specimen was received.

865 Sec. 45. (NEW) (*Effective January 1, 2022*) (a) Subject to a challenge
866 under subsection (b) of this section, a person is identified under sections
867 40 to 50, inclusive, of this act as a genetic parent of a child if genetic
868 testing complies with said sections and the results of the testing disclose:
869 (1) The person has not less than a ninety-nine per cent probability of
870 parentage, using a prior probability of 0.50, as calculated by using the
871 combined relationship index obtained in the testing; and (2) a combined
872 relationship index of not less than one hundred to one.

873 (b) A person identified under subsection (a) of this section as a genetic
874 parent of the child may challenge the genetic testing results only by
875 other genetic testing satisfying the requirements of sections 40 to 50,
876 inclusive, of this act that:

877 (1) Excludes the person as a genetic parent of the child; or

878 (2) Identifies another person as a possible genetic parent of the child
879 other than: (A) The person who gave birth to the child; or (B) the person
880 identified under subsection (a) of this section.

881 (c) If more than one person other than the person who gave birth is
882 identified by genetic testing as a possible genetic parent of the child, the
883 court shall order each person to submit to further genetic testing to
884 identify a genetic parent.

885 Sec. 46. (NEW) (*Effective January 1, 2022*) Payment of the cost of initial
886 genetic testing shall be made in accordance with sections 46b-168 of the
887 general statutes, as amended by this act, and 46b-168a of the general
888 statutes, as amended by this act.

889 Sec. 47. (NEW) (*Effective January 1, 2022*) The court or the Office of
890 Child Support Services of the Department of Social Services shall
891 require additional genetic testing on request of a person who contests
892 the result of the initial testing under section 45 of this act. If initial
893 genetic testing under said section identified a person as a genetic parent
894 of the child, the court or agency may not require additional testing

895 unless the contesting person pays for the testing in advance.

896 Sec. 48. (NEW) (*Effective January 1, 2022*) (a) If in a proceeding to
897 determine whether an alleged genetic parent who is not a presumed
898 parent is a parent of a child and the person who gave birth to the child
899 is the only other person with a claim to parentage of the child, the court
900 shall adjudicate an alleged genetic parent to be a parent of the child if
901 the alleged genetic parent:

902 (1) Is identified under section 45 of this act as a genetic parent of the
903 child and the identification is not successfully challenged under said
904 section;

905 (2) Admits parentage in a pleading, when making an appearance, or
906 during a hearing, the court accepts the admission, and the court
907 determines the alleged genetic parent to be a parent of the child;

908 (3) Declines to submit to genetic testing ordered by the court or a
909 child support agency, in which case the court may adjudicate the alleged
910 genetic parent to be a parent of the child even if the alleged genetic
911 parent denies a genetic relationship with the child;

912 (4) Is in default after service of process and the court determines the
913 alleged genetic parent to be a parent of the child; or

914 (5) Is neither identified nor excluded as a genetic parent by genetic
915 testing and, based on other evidence, the court determines the alleged
916 genetic parent to be a parent of the child.

917 (b) Subject to the limitations set forth in sections 40 to 50, inclusive, of
918 this act, if, in a proceeding involving an alleged genetic parent, at least
919 one other person in addition to the person who gave birth to the child
920 has a claim to parentage of the child, the court shall adjudicate parentage
921 under section 23 of this act.

922 (c) If in a proceeding involving an alleged genetic parent, another
923 person other than the person who gave birth is a parent of the child, the

924 alleged genetic parent can seek a determination that such person is the
925 child's parent under section 23 of this act, in addition to the existing
926 parents. An adjudication of parentage under this subsection that the
927 alleged genetic parent is a parent shall not disestablish the parentage of
928 any other parent.

929 Sec. 49. (NEW) (*Effective January 1, 2022*) (a) Release of a report of
930 genetic testing for parentage is controlled by the law of this state other
931 than sections 1 to 86, inclusive, of this act.

932 (b) A person who intentionally releases an identifiable specimen of
933 another person collected for genetic testing under sections 42 to 54,
934 inclusive, of this act for a purpose not relevant to a proceeding regarding
935 parentage, without a court order or written permission of the person
936 who furnished the specimen, shall be fined not more than two hundred
937 dollars or imprisoned not more than six months, or both.

938 Sec. 50. (NEW) (*Effective January 1, 2022*) (a) Except as provided in
939 subsection (b) of section 41 of this act, the court shall admit a report of
940 genetic testing ordered by the court under section 42 of this act as
941 evidence of the truth of the facts asserted in the report.

942 (b) A party may object to the admission of a report described in
943 subsection (a) of this section, not later than fourteen days after the date
944 on which the party receives the report. The party shall cite specific
945 grounds for the objection to admission.

946 (c) A party that objects to the results of genetic testing may call a
947 genetic-testing expert to testify in person or by another method
948 approved by the court. Unless the court orders otherwise, the party
949 offering the testimony bears the expense for the expert testifying.

950 (d) Admissibility of a report of genetic testing is not affected by
951 whether the testing was performed: (1) Voluntarily or under an order of
952 the court or a child support agency; or (2) before, on or after
953 commencement of the proceeding.

954 Sec. 51. (NEW) (*Effective January 1, 2022*) Sections 51 to 59, inclusive,
955 of this act do not apply to the birth of a child conceived by sexual
956 intercourse or assisted reproduction under a surrogacy agreement
957 under sections 60 to 77, inclusive, of this act.

958 Sec. 52. (NEW) (*Effective January 1, 2022*) A donor is not a parent of a
959 child conceived by assisted reproduction by virtue of the donor's genetic
960 connection. A donor may not establish the donor's parentage by signing
961 an acknowledgment of parentage under sections 24 to 35, inclusive, of
962 this act.

963 Sec. 53. (NEW) (*Effective January 1, 2022*) A person who consents
964 under section 54 of this act to assisted reproduction by another person
965 with the intent to be a parent of a child conceived by the assisted
966 reproduction is a parent of the child.

967 Sec. 54. (NEW) (*Effective January 1, 2022*) (a) Except as provided in
968 subsection (b) of this section, the consent described in section 53 of this
969 act shall be in a record signed by a person giving birth to a child
970 conceived by assisted reproduction and a person who intends to be a
971 parent of the child.

972 (b) Failure to consent in a record as required by subsection (a) of this
973 section, before, on or after the date of birth of the child, shall not
974 preclude the court from finding consent to parentage if the person who
975 gave birth or the person who intends to be a parent of the child proves
976 by clear and convincing evidence the existence of an agreement that the
977 person and the person giving birth intended they both would be parents
978 of the child.

979 Sec. 55. (NEW) (*Effective January 1, 2022*) (a) Except as provided in
980 subsection (b) of this section, a person who, at the time of a child's birth,
981 is the spouse of the person who gave birth to the child by assisted
982 reproduction may not challenge the person's parentage of the child
983 unless: (1) Not later than two years after the date of birth of the child,
984 the person commences a proceeding to adjudicate the person's

985 parentage of the child; and (2) the court finds the person did not consent
986 to the assisted reproduction, before, on or after the date of birth of the
987 child, or withdrew consent under section 57 of this act.

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

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

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

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

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

999 Sec. 56. (NEW) (*Effective January 1, 2022*) If a marriage of a person who
1000 gives birth to a child conceived by assisted reproduction is terminated
1001 through dissolution of marriage or annulment, or is subject to legal
1002 separation, before transfer of gametes or embryos to the person giving
1003 birth, a former spouse of the person giving birth is not a parent of the
1004 child unless the former spouse consented in a record that the former
1005 spouse would be a parent of the child if assisted reproduction were to
1006 occur after a dissolution of marriage, annulment or legal separation, and
1007 the former spouse did not withdraw consent under section 57 of this act.

1008 Sec. 57. (NEW) (*Effective January 1, 2022*) (a) A person who consents
1009 under section 54 of this act to assisted reproduction may withdraw
1010 consent at any time before a transfer that results in a pregnancy, by
1011 giving notice in a record of the withdrawal of consent to the person who
1012 agreed to give birth to a child conceived by assisted reproduction and
1013 to any clinic or health care provider facilitating the assisted

1014 reproduction. Failure to give notice to the clinic or health care provider
1015 shall not affect a determination of parentage under sections 1 to 86,
1016 inclusive, of this act.

1017 (b) A person who withdraws consent under subsection (a) of this
1018 section is not a parent of the child under sections 51 to 59, inclusive, of
1019 this act.

1020 Sec. 58. (NEW) (*Effective January 1, 2022*) (a) If a person who intends
1021 to be a parent of a child conceived by assisted reproduction dies during
1022 the period between the transfer of a gamete or embryo and the birth of
1023 the child, the person's death shall not preclude the establishment of the
1024 person's parentage of the child if the person otherwise would be a
1025 parent of the child under sections 1 to 86, inclusive, of this act.

1026 (b) If a person who consented in a record to assisted reproduction by
1027 a person who agreed to give birth to a child dies before a transfer of
1028 gametes or embryos, the deceased person is a parent of a child
1029 conceived by the assisted reproduction only if:

1030 (1) The person executed a written document that: (A) Specifically set
1031 forth that the person's gametes may be used for posthumous conception
1032 of a child, (B) specifically provided the person who agreed to give birth
1033 with authority to exercise custody, control and use of the gametes in the
1034 event of the person's death, and (C) was signed and dated by the person
1035 and the person who agreed to give birth; and

1036 (2) The embryo is in utero not later than one year after the date of the
1037 person's death.

1038 Sec. 59. (NEW) (*Effective January 1, 2022*) (a) A party consenting to
1039 assisted reproduction, a person who is a parent pursuant to sections 53
1040 to 55, inclusive, of this act, an intended parent or parents or the person
1041 giving birth may commence a proceeding to obtain an order:

1042 (1) Declaring that the intended parent or parents are the parent or

1043 parents of the resulting child immediately upon birth of the child and
1044 ordering that parental rights and responsibilities vest exclusively in the
1045 intended parent or parents immediately upon the birth of the child; and

1046 (2) Designating the contents of the birth certificate and directing the
1047 Department of Public Health to designate the intended parent or parents
1048 as the parent or parents of the resulting child.

1049 (b) A proceeding under this section may be commenced before or
1050 after the date of birth of the child, though an order issued before the
1051 birth of the resulting child does not take effect unless and until the birth
1052 of the resulting child. Nothing in this subsection shall be construed to
1053 limit the court's authority to issue other orders under any other
1054 provision of the general statutes.

1055 (c) Neither the state nor the Department of Public Health shall be a
1056 necessary party to a proceeding under this section.

1057 Sec. 60. (NEW) (*Effective January 1, 2022*) As used in sections 60 to 77,
1058 inclusive, of this act:

1059 (1) "Genetic surrogate" means a person who is not an intended parent
1060 and who agrees to become pregnant through assisted reproduction
1061 using that person's own gamete, under a genetic surrogacy agreement
1062 as provided in sections 60 to 77, inclusive, of this act.

1063 (2) "Gestational surrogate" means a person who is not an intended
1064 parent and who agrees to become pregnant through assisted
1065 reproduction using gametes that are not that person's own, under a
1066 gestational surrogacy agreement as provided in sections 60 to 77,
1067 inclusive, of this act.

1068 (3) "Surrogacy agreement" means an agreement between one or more
1069 intended parents and a person who is not an intended parent in which
1070 such person agrees to become pregnant through assisted reproduction
1071 and which provides that each intended parent is a parent of a child

1072 conceived under the agreement. Unless the context otherwise requires,
1073 "surrogacy agreement" includes an agreement with a person acting as a
1074 gestational surrogate and an agreement with a person acting as a genetic
1075 surrogate.

1076 Sec. 61. (NEW) (*Effective January 1, 2022*) (a) To execute an agreement
1077 to act as a gestational or genetic surrogate, a person shall:

1078 (1) Have attained twenty-one years of age;

1079 (2) Have previously given birth to at least one child;

1080 (3) Complete a medical evaluation related to the surrogacy
1081 arrangement by a licensed physician;

1082 (4) Complete a mental health evaluation by a licensed mental health
1083 professional;

1084 (5) Have independent legal representation of the surrogate's choice
1085 throughout the surrogacy agreement regarding the terms of the
1086 surrogacy agreement and the potential legal consequences of the
1087 agreement; and

1088 (6) Have or obtain a health insurance policy or other coverage for
1089 major medical treatment and hospitalization and such policy or other
1090 coverage shall be for a term that extends throughout the duration of the
1091 expected pregnancy and for eight weeks after the birth of the resulting
1092 child.

1093 (b) To execute a surrogacy agreement, each intended parent, whether
1094 or not genetically related to the child, shall:

1095 (1) Have attained twenty-one years of age;

1096 (2) Complete a mental health evaluation by a licensed mental health
1097 professional; and

1098 (3) Have independent legal representation of the intended parent's

1099 choice throughout the surrogacy agreement regarding the terms of the
1100 surrogacy agreement and the potential legal consequences of the
1101 agreement.

1102 Sec. 62. (NEW) (*Effective January 1, 2022*) A surrogacy agreement shall
1103 be executed in compliance with the following rules:

1104 (1) Not less than one party shall be a resident of this state.

1105 (2) The person acting as surrogate and each intended parent shall
1106 meet the requirements of section 61 of this act.

1107 (3) Each intended parent, the person acting as surrogate and the
1108 spouse, if any, of the person acting as the surrogate shall be parties to
1109 the agreement. If an intended parent is married, the intended parent's
1110 spouse shall also be an intended parent and a party to the agreement,
1111 unless the intended parent and the spouse are legally separated.

1112 (4) The agreement shall be in writing and signed by each party set
1113 forth in subdivision (3) of this section.

1114 (5) The person acting as surrogate and each intended parent shall
1115 acknowledge in writing their receipt of a copy of the agreement.

1116 (6) The signature of each party to the agreement shall be attested by
1117 a notarial officer or otherwise acknowledged and witnessed by two
1118 disinterested adults.

1119 (7) The person acting as surrogate and, if married, the spouse of the
1120 person acting as surrogate and the intended parent or parents shall have
1121 independent legal representation throughout the surrogacy agreement
1122 regarding the terms of the surrogacy agreement and the potential legal
1123 consequences of the agreement, and each counsel shall be identified in
1124 the surrogacy agreement. A single attorney for the person acting as
1125 surrogate and the person's spouse, if married, and a single attorney for
1126 the intended parents is sufficient to meet this requirement, provided the
1127 representation otherwise conforms to the Rules of Professional

1128 Conduct.

1129 (8) The intended parent or parents shall pay for independent legal
1130 representation for the person acting as surrogate and the person's
1131 spouse, if any.

1132 (9) If the agreement provides for the payment of compensation to the
1133 person acting as surrogate, the compensation shall be placed in an
1134 escrow account prior to the commencement of any medical procedure,
1135 other than medical and mental health evaluations required by section
1136 61 of this act.

1137 (10) The agreement shall be executed before a medical procedure
1138 occurs related to the surrogacy agreement, other than the medical and
1139 mental health evaluations required by section 61 of this act.

1140 Sec. 63. (NEW) (*Effective January 1, 2022*) (a) A surrogacy agreement
1141 shall comply with the following requirements:

1142 (1) A person acting as surrogate agrees to attempt to become
1143 pregnant by means of assisted reproduction.

1144 (2) Except as provided in sections 70, 74 and 75 of this act, the person
1145 acting as surrogate and the spouse or former spouse, if any, of the
1146 person acting as surrogate have no claim to parentage of a child
1147 conceived by assisted reproduction under the surrogacy agreement.

1148 (3) The spouse, if any, of the person acting as surrogate shall
1149 acknowledge and agree to comply with the obligations imposed on the
1150 surrogate by the surrogacy agreement.

1151 (4) Except as provided in sections 68, 71, 74 and 75 of this act, the
1152 intended parent or, if there are two intended parents, each one jointly
1153 and severally, immediately upon birth of the child shall be the exclusive
1154 parent or parents of the resulting child, regardless of the number of
1155 children born or the gender or mental or physical condition of each
1156 child.

1157 (5) Except as provided in sections 68, 71, 74 and 75 of this act, the
1158 intended parent or, if there are two intended parents, each parent jointly
1159 and severally, immediately upon birth of the resulting child shall
1160 assume responsibility for the financial support of the child, regardless
1161 of the number of children born or the gender or the mental or physical
1162 condition of each child.

1163 (6) The surrogacy agreement shall provide for payment by the
1164 intended parent or parents of reasonable legal, medical and ancillary
1165 expenses, including: (A) Premiums for a health insurance policy that
1166 covers medical treatment and hospitalization for the person acting as
1167 surrogate unless otherwise mutually agreed upon by the parties,
1168 pursuant to the terms of the surrogacy agreement; (B) payment of all
1169 uncovered medical expenses; (C) payment of legal fees for the legal
1170 representation of the person acting as surrogate; (D) payment of life
1171 insurance premiums; and (E) any other reasonable financial
1172 arrangements mutually agreed upon by the parties, including any
1173 applicable reimbursement and compensation schedule, pursuant to the
1174 terms of the surrogacy agreement.

1175 (7) The intended parent or parents are liable for the surrogacy-related
1176 expenses of the person acting as surrogate, including expenses for
1177 health care provided for assisted reproduction, prenatal care, labor and
1178 delivery and for the medical expenses of the resulting child that are not
1179 paid by insurance. This subdivision shall not be construed to supplant
1180 any health insurance coverage that is otherwise available to the person
1181 acting as surrogate or an intended parent for the coverage of health care
1182 costs. This subdivision shall not change the health insurance coverage
1183 of the person acting as surrogate or the responsibility of the insurance
1184 company to pay benefits under a policy that covers a person acting as
1185 surrogate.

1186 (8) The surrogacy agreement shall not infringe on the rights of the
1187 person acting as surrogate to make all health and welfare decisions
1188 regarding the person, the person's body and the person's pregnancy

1189 throughout the duration of the surrogacy arrangement, including
1190 during attempts to become pregnant, pregnancy, delivery and post-
1191 partum. The surrogacy agreement shall not infringe upon the right of
1192 the person acting as surrogate to autonomy in medical decision making
1193 by, including, but not limited to, requiring the person acting as
1194 surrogate to undergo a scheduled, nonmedically indicated caesarean
1195 section or to undergo multiple embryo transfer. Except as otherwise
1196 provided by law, any written or oral agreement purporting to waive or
1197 limit the rights described in this subdivision are void as against public
1198 policy.

1199 (9) The surrogacy agreement shall include information about each
1200 party's right under sections 60 to 77, inclusive, of this act to terminate
1201 the surrogacy agreement.

1202 (b) A surrogacy agreement may provide for: (1) The intended parent
1203 or parents to pay reasonable compensation to the person acting as
1204 surrogate; and (2) the intended parent or parents to pay for or reimburse
1205 reasonable expenses, including, but not limited to, medical, legal or
1206 other professional or necessary expenses related to the surrogacy
1207 agreement, including reimbursement of specific expenses if the
1208 agreement is terminated under sections 60 to 77, inclusive, of this act.

1209 (c) A right created under a surrogacy agreement is not assignable and
1210 there is no third-party beneficiary of the agreement other than the
1211 resulting child.

1212 Sec. 64. (NEW) (*Effective January 1, 2022*) (a) Unless a surrogacy
1213 agreement expressly otherwise provides:

1214 (1) (A) The marriage of a person acting as surrogate after the
1215 surrogacy agreement is signed by all parties shall not affect the validity
1216 of the surrogacy agreement, (B) the consent of the spouse of the person
1217 acting as surrogate is not required, and (C) the spouse of the person
1218 acting as surrogate is not a presumed parent of a child conceived by
1219 assisted reproduction under the surrogacy agreement; and

1220 (2) The divorce, dissolution, annulment, declaration of invalidity,
1221 legal separation or separate maintenance of the person acting as
1222 surrogate after the surrogacy agreement is signed by all parties shall not
1223 affect the validity of the surrogacy agreement.

1224 (b) Unless a surrogacy agreement expressly otherwise provides:

1225 (1) (A) The marriage of an intended parent after the agreement is
1226 signed by all parties shall not affect the validity of a surrogacy
1227 agreement, (B) the consent of the spouse of the intended parent is not
1228 required, and (C) the spouse of the intended parent is not, based on the
1229 surrogacy agreement, a parent of a child conceived by assisted
1230 reproduction under the surrogacy agreement; and

1231 (2) The divorce, dissolution, annulment, declaration of invalidity,
1232 legal separation or separate maintenance of an intended parent after the
1233 surrogacy agreement is signed by all parties shall not affect the validity
1234 of the surrogacy agreement and the intended parents are the parents of
1235 the child.

1236 Sec. 65. (NEW) (*Effective January 1, 2022*) Unless a surrogacy
1237 agreement expressly otherwise provides:

1238 (1) (A) The marriage of an intended parent after the agreement is
1239 signed by all parties shall not affect the validity of a surrogacy
1240 agreement, (B) the consent of the spouse of the intended parent is not
1241 required, and (C) the spouse of the intended parent is not, based on the
1242 surrogacy agreement, a parent of a child conceived by assisted
1243 reproduction under the surrogacy agreement; and

1244 (2) The divorce, dissolution, annulment, declaration of invalidity,
1245 legal separation or separate maintenance of an intended parent after the
1246 surrogacy agreement is signed by all parties shall not affect the validity
1247 of the surrogacy agreement and the intended parents are the parents of
1248 the child.

1249 Sec. 66. (NEW) (*Effective January 1, 2022*) During the period after the
1250 date of execution of a surrogacy agreement until the occurrence of the
1251 earlier of the date of termination of a surrogacy agreement pursuant to
1252 the agreement terms, or ninety days after the date of birth of a child
1253 conceived by assisted reproduction under the surrogacy agreement, a
1254 court of this state conducting a proceeding under sections 1 to 86,
1255 inclusive, of this act has exclusive, continuing jurisdiction over all
1256 matters arising out of the agreement. The provisions of this section do
1257 not give the court jurisdiction over a child custody proceeding or a child
1258 support proceeding if jurisdiction is not otherwise authorized by the law
1259 of this state other than the provisions of sections 1 to 86, inclusive, of
1260 this act.

1261 Sec. 67. (NEW) (*Effective January 1, 2022*) (a) A party to a gestational
1262 surrogacy agreement may terminate such agreement, at any time before
1263 an embryo transfer, by giving notice of termination in a record to all
1264 other parties. If an embryo transfer shall not result in a pregnancy, a
1265 party may terminate such agreement at any time before a subsequent
1266 embryo transfer, provided no party may terminate the agreement after
1267 an embryo transfer but prior to a pregnancy test at a time to be
1268 determined by a qualified healthcare provider.

1269 (b) Unless a gestational surrogacy agreement provides otherwise, on
1270 termination of such agreement under subsection (a) of this section, the
1271 parties are released from the agreement, except that each intended
1272 parent remains responsible for expenses that are reimbursable under the
1273 agreement and incurred by the person acting as gestational surrogate
1274 through the date of termination of the agreement.

1275 (c) Except in a case involving fraud, neither a person acting as
1276 gestational surrogate nor the spouse or former spouse of the person
1277 acting as surrogate, if any, is liable to the intended parent or parents for
1278 a penalty, including any costs incurred by intended parents, if any, for
1279 medical and psychological screening, or liquidated damages, for
1280 terminating a gestational surrogacy agreement under this section.

1281 Sec. 68. (NEW) (*Effective January 1, 2022*) (a) Except as provided in
1282 subsection (c) of this section, subsection (b) of section 69 of this act or
1283 section 71 of this act, upon birth of a child conceived by assisted
1284 reproduction under a gestational surrogacy agreement, each intended
1285 parent is, by operation of law, a parent of the resulting child.

1286 (b) Except as otherwise provided in subsection (c) of this section or
1287 section 71 of this act, neither a person acting as gestational surrogate nor
1288 the spouse or former spouse of the person acting as surrogate, if any, is
1289 a parent of the resulting child.

1290 (c) If a resulting child is alleged to be a genetic child of the person
1291 who agreed to be a gestational surrogate, the court shall, upon finding
1292 sufficient evidence, order genetic testing of the child, the cost of which
1293 shall be covered by the intended parent or parents. If the resulting child
1294 is a genetic child of the person who agreed to be a gestational surrogate,
1295 parentage shall be determined in accordance with the provisions of
1296 sections 1 to 50, inclusive, of this act.

1297 (d) Except as provided in subsection (c) of this section, subsection (b)
1298 of section 69 of this act or section 71 of this act, if, due to a clinical or
1299 laboratory error, a child conceived by assisted reproduction under a
1300 gestational surrogacy agreement is not genetically related to an
1301 intended parent or a donor who donated to the intended parent or
1302 parents, each intended parent, and not the gestational surrogate and the
1303 spouse or former spouse of the person acting as surrogate, if any, is a
1304 parent of the resulting child.

1305 Sec. 69. (NEW) (*Effective January 1, 2022*) (a) The provisions of section
1306 68 of this act shall apply to an intended parent even if the intended
1307 parent died during the period between the transfer of a gamete or
1308 embryo and the birth of the resulting child.

1309 (b) Except as provided in section 71 of this act, an intended parent is
1310 not a parent of a child conceived by assisted reproduction under a
1311 gestational surrogacy agreement if the intended parent dies before the

1312 transfer of a gamete or embryo unless:

1313 (1) The person executed a written document, which may include the
1314 surrogacy agreement, that: (A) Specifically set forth that the person's
1315 gametes may be used for posthumous conception of a child, (B)
1316 specifically provided the other intended parent with authority to
1317 exercise custody, control and use of the gametes in the event of the
1318 person's death, and (C) was signed and dated by the person and the
1319 other intended parent; and

1320 (2) The embryo is in utero not later than one year after the date of the
1321 person's death.

1322 Sec. 70. (NEW) (*Effective January 1, 2022*) (a) Except as provided in
1323 subsection (c) of section 68 of this act or section 71 of this act, a party to
1324 a gestational surrogacy agreement may initiate a proceeding for a
1325 judgment of parentage of a child conceived pursuant to the agreement
1326 at any time after the agreement has been executed by all of the parties.

1327 (b) The petition for a judgment of parentage shall include: (1)
1328 Certification from the attorney representing the intended parent or
1329 parents and the attorney representing the person acting as surrogate
1330 that the requirements of sections 61 to 63, inclusive, of this act have been
1331 met; and (2) a statement from all parties to the surrogacy agreement that
1332 they entered into the surrogacy agreement knowingly and voluntarily.
1333 The petition, including the certification and statement required by
1334 subdivisions (1) and (2) of this subsection, shall be submitted under
1335 penalty of false statement.

1336 (c) Neither the state nor the Department of Public Health, nor the
1337 hospital where delivery is expected to occur or does occur, is a necessary
1338 party to a proceeding under subsection (a) of this section.

1339 (d) Service of process may be waived if each party consents to waiver
1340 of service of process.

1341 (e) Upon a finding that the petition satisfies subsection (b) of this
1342 section, the court shall issue a judgment:

1343 (1) Declaring, that upon the birth of the child born during the term of
1344 the surrogacy agreement, any intended parent is a parent of the child
1345 and ordering that parental rights, duties and custody vest immediately
1346 on the birth of the child exclusively in any intended parent;

1347 (2) Declaring, that upon the birth of the child born during the term of
1348 the surrogacy agreement, the person acting as gestational surrogate and
1349 the spouse or former spouse of the person acting as surrogate, if any, are
1350 not the parents of the child;

1351 (3) Declaring that the intended parent or parents have responsibility
1352 for the maintenance and support of the child immediately upon the
1353 birth of the child;

1354 (4) Designating the contents of the certificate of birth in accordance
1355 with subsection (b) of section 7-48a of the general statutes, as amended
1356 by this act, and directing the Department of Public Health to designate
1357 any intended parent as a parent of the child; and

1358 (5) If necessary, ordering that the child be surrendered to the
1359 intended parent or parents.

1360 The court may issue an order or judgment under this subsection before
1361 or after the date of birth of the child. The court shall stay enforcement of
1362 the order or judgment until the birth of the child. Nothing in this
1363 subsection shall be construed to limit the court's authority to issue other
1364 orders under any other provision of the general statutes.

1365 (f) In the event the certification required by subdivision (1) of
1366 subsection (b) of this section cannot be made because of a technical or
1367 nonmaterial deviation from the requirements of sections 61 to 63,
1368 inclusive, of this act, the court may nevertheless enforce the agreement
1369 and issue a judgment of parentage if the court determines the agreement

1370 is in substantial compliance with the requirements of said sections.

1371 (g) An order under subsection (e) or (f) of this section shall be
1372 sufficient to satisfy the requirements in section 7-48a of the general
1373 statutes, as amended by this act, governing birth certificates.

1374 Sec. 71. (NEW) (*Effective January 1, 2022*) (a) A gestational surrogacy
1375 agreement that complies with sections 61 to 63, inclusive, of this act is
1376 enforceable.

1377 (b) If a child was conceived by assisted reproduction under a
1378 gestational surrogacy agreement that shall not comply with sections 61
1379 to 63, inclusive, of this act, the court shall determine the rights and
1380 duties of the parties to the agreement, taking into account evidence of
1381 the intent of the parties at the time of execution of the agreement. Each
1382 party to the agreement and any person who at the time of the execution
1383 of the agreement was a spouse of a party to the agreement has standing
1384 to maintain a proceeding to adjudicate an issue related to the
1385 enforcement of the agreement.

1386 (c) Except as expressly provided in a gestational surrogacy agreement
1387 or subsection (d) or (e) of this section, if the agreement is breached by
1388 the person acting as gestational surrogate or one or more intended
1389 parents, the nonbreaching party is entitled to the remedies available at
1390 law or in equity.

1391 (d) Specific performance is not a remedy available for breach by a
1392 person acting as gestational surrogate of a provision in the agreement
1393 that the person acting as gestational surrogate be impregnated,
1394 terminate or not terminate a pregnancy, or submit to medical
1395 procedures.

1396 (e) Except as provided in subsection (d) of this section, if an intended
1397 parent is determined to be a parent of the resulting child, specific
1398 performance is a remedy available for:

1399 (1) Breach of the agreement by a person acting as gestational
1400 surrogate that prevents the intended parent from exercising
1401 immediately upon birth of the child the full rights of parentage; or

1402 (2) Breach by the intended parent that prevents the intended parent's
1403 acceptance, immediately upon birth of the child conceived by assisted
1404 reproduction under the agreement, of the duties of parentage.

1405 Sec. 72. (NEW) (*Effective January 1, 2022*) (a) Except as otherwise
1406 provided in section 75 of this act, a genetic surrogacy agreement shall
1407 be validated by a Probate Court. A proceeding to validate the agreement
1408 shall be commenced before the assisted reproduction related to the
1409 surrogacy agreement.

1410 (b) Upon examination of the parties, the court shall issue an order
1411 validating a genetic surrogacy agreement if the court finds that:

1412 (1) Sections 61 to 63, inclusive, of this act are satisfied; and

1413 (2) All parties entered into the agreement voluntarily and understand
1414 its terms.

1415 (c) A person who terminates a genetic surrogacy agreement under
1416 section 73 of this act shall file notice of the termination with the court.
1417 On receipt of the notice, the court shall vacate any order issued under
1418 subsection (b) of this section. A person who shall not notify the court of
1419 the termination of the agreement shall be subject to sanctions.

1420 Sec. 73. (NEW) (*Effective January 1, 2022*) (a) A party to a genetic
1421 surrogacy agreement may terminate the agreement as follows:

1422 (1) An intended parent or person acting as genetic surrogate who is a
1423 party to the agreement may terminate the agreement at any time before
1424 a gamete or embryo transfer by giving notice of termination in a record
1425 to all other parties. If a gamete or embryo transfer does not result in a
1426 pregnancy, a party may terminate the agreement at any time before a
1427 subsequent gamete or embryo transfer, provided no party may

1428 terminate the agreement after a gamete or embryo transfer but prior to
1429 a pregnancy test at a time to be determined by a qualified healthcare
1430 provider. The notice of termination shall be attested by a notarial officer
1431 or witnessed.

1432 (2) Upon sending the notice of termination, the sending party or
1433 parties to the genetic surrogacy agreement shall not undertake any
1434 medical procedure contemplated under the terms of the agreement.
1435 Upon receiving the notice of termination, the receiving party or parties
1436 to the genetic surrogacy agreement shall not undertake any medical
1437 procedure contemplated under the terms of the agreement.

1438 (3) An intended parent or person acting as genetic surrogate who
1439 terminates the agreement after the court issues an order validating the
1440 agreement under section 72 or 75 of this act, but before the person acting
1441 as genetic surrogate becomes pregnant by means of assisted
1442 reproduction, shall also file notice of the termination with such court.

1443 (b) On termination of the genetic surrogacy agreement, the parties are
1444 released from all obligations under the agreement, except that any
1445 intended parent remains responsible for all expenses incurred by the
1446 person acting as genetic surrogate through the date of termination of the
1447 agreement that are reimbursable under the agreement. Unless the
1448 agreement provides otherwise, the person acting as surrogate is not
1449 entitled to any nonexpense-related compensation paid for serving as a
1450 surrogate.

1451 (c) Except in a case involving fraud, neither a person acting as genetic
1452 surrogate nor the spouse or former spouse of the person acting as
1453 surrogate, if any, is liable to the intended parent or parents for a penalty
1454 or liquidated damages, for terminating a genetic surrogacy agreement
1455 under this section.

1456 Sec. 74. (NEW) (*Effective January 1, 2022*) (a) Upon birth of a child
1457 conceived by assisted reproduction under a genetic surrogacy
1458 agreement validated under section 72 or 75 of this act, each intended

1459 parent is, by operation of law, a parent of the resulting child.

1460 (b) Upon birth of a child conceived by assisted reproduction under a
1461 genetic surrogacy agreement validated under section 72 or 75 of this act,
1462 the intended parent or parents shall file a notice with the court that
1463 validated the agreement under section 72 or 75 that a child has been
1464 born as a result of assisted reproduction. Upon receiving such notice,
1465 the court shall immediately, or as soon as practicable, issue an order
1466 without notice and hearing:

1467 (1) Declaring that any intended parent or parents is a parent of a child
1468 conceived by assisted reproduction under the agreement and ordering
1469 that parental rights and duties vest exclusively in any intended parent
1470 or parents;

1471 (2) Declaring that the person acting as genetic surrogate and the
1472 spouse or former spouse of the person acting as surrogate, if any, are
1473 not parents of the resulting child;

1474 (3) Declaring that the intended parent or parents have responsibility
1475 for the maintenance and support of the child immediately upon the
1476 birth of the child;

1477 (4) Designating the contents of the certificate of birth in accordance
1478 with subsection (b) of section 7-48a of the general statutes, as amended
1479 by this act, and directing the Department of Public Health to designate
1480 any intended parent as a parent of the child; and

1481 (5) If necessary, ordering that the child be surrendered to the
1482 intended parent or parents.

1483 Nothing in this subsection shall be construed to limit the court's
1484 authority to issue other orders under any other provision of the general
1485 statutes.

1486 (c) If a child born to a person acting as genetic surrogate is alleged not
1487 to have been conceived by assisted reproduction, the court may, upon

1488 sufficient findings, order genetic testing to determine the genetic
1489 parentage of the child, and shall designate which party shall pay for
1490 such testing. If the child was not conceived by assisted reproduction,
1491 parentage shall be determined in accordance with the provisions of
1492 sections 1 to 50, inclusive, of this this act. Unless the genetic surrogacy
1493 agreement provides otherwise, if the child was not conceived by
1494 assisted reproduction the person acting as surrogate is not entitled to
1495 any nonexpense-related compensation paid for serving as a surrogate.

1496 (d) If an intended parent fails to file the notice required under
1497 subsection (b) of this section, the person acting as genetic surrogate may
1498 file with the court, not later than sixty days after the date of birth of a
1499 child conceived by assisted reproduction under the agreement, notice
1500 that the child has been born to the person acting as genetic surrogate.
1501 On proof of a court order issued under section 72 or 75 of this act
1502 validating the agreement, the court shall order that each intended
1503 parent is a parent of the child.

1504 Sec. 75. (NEW) (*Effective January 1, 2022*) (a) A genetic surrogacy
1505 agreement, whether or not in a record, that is not validated under
1506 section 72 of this act is enforceable only to the extent provided in this
1507 section and section 77 of this act.

1508 (b) If all parties agree, a court may validate a genetic surrogacy
1509 agreement after assisted reproduction has occurred but before the date
1510 of birth of a child conceived by assisted reproduction under the
1511 agreement if, upon examination of the parties, the court finds that:

1512 (1) Sections 61 to 63, inclusive, of this act are satisfied; and

1513 (2) All parties entered into the agreement voluntarily and understand
1514 its terms.

1515 (c) A person who terminates a genetic surrogacy agreement under
1516 section 73 of this act shall file notice of the termination with the court,
1517 provided that a person may not terminate a genetic surrogacy

1518 agreement validated under this section if a gamete or embryo transfer
1519 has resulted in a pregnancy. On receipt of the notice, the court shall
1520 vacate any order issued under subsection (b) of this section. A person
1521 who shall not notify the court of the termination of the agreement shall
1522 be subject to sanctions.

1523 (d) If a child conceived by assisted reproduction under a genetic
1524 surrogacy agreement that is not validated under section 72 of this act or
1525 subsection (b) of this section is born, the person acting as genetic
1526 surrogate is not automatically a parent and the court shall adjudicate
1527 parentage of the child based on the best interest of the child, taking into
1528 account the factors set forth in subsection (a) of section 23 of this act and
1529 the intent of the parties at the time of the execution of the agreement.

1530 (3) The parties to a genetic surrogacy agreement have standing to
1531 maintain a proceeding to adjudicate parentage under this section.

1532 Sec. 76. (NEW) (*Effective January 1, 2022*) (a) Except as provided in
1533 section 74 or 75 of this act, upon birth of a child conceived by assisted
1534 reproduction under a genetic surrogacy agreement, each intended
1535 parent is, by operation of law, a parent of the child whether the
1536 surviving parent is the genetic parent of the child conceived, or not,
1537 notwithstanding the death of an intended parent during the period
1538 between the transfer of a gamete or embryo and the birth of the child.

1539 (b) Except as provided in section 74 or 75 of this act, an intended
1540 parent is not a parent of a child conceived by assisted reproduction
1541 under a genetic surrogacy agreement if the intended parent dies before
1542 the transfer of a gamete or embryo unless:

1543 (1) The person executed a written document, which may include the
1544 surrogacy agreement, that: (A) Specifically set forth that the person's
1545 gametes may be used for posthumous conception of a child, (B)
1546 specifically provided the other intended parent with authority to
1547 exercise custody, control and use of the gametes in the event of the
1548 person's death, and (C) was signed and dated by the person and the

1549 other intended parent; and

1550 (2) The embryo is in utero not later than one year after the date of the
1551 person's death.

1552 Sec. 77. (NEW) (*Effective January 1, 2022*) (a) Subject to subsection (b)
1553 of section 73 of this act, if a genetic surrogacy agreement is breached by
1554 a person acting as genetic surrogate or one or more intended parents,
1555 the nonbreaching party is entitled to the remedies available at law or in
1556 equity.

1557 (b) Specific performance is not a remedy available for breach by a
1558 person acting as genetic surrogate of a requirement of a validated or
1559 nonvalidated genetic surrogacy agreement that the person acting as
1560 surrogate be impregnated, terminate or not terminate a pregnancy or
1561 submit to medical procedures.

1562 (c) Except as provided in subsection (b) of this section, specific
1563 performance is a remedy available for:

1564 (1) Breach of a validated genetic surrogacy agreement by a person
1565 acting as genetic surrogate that prevents the intended parent from
1566 exercising, immediately upon birth of the child, the full rights of
1567 parentage; or

1568 (2) Breach by an intended parent that prevents the intended parent's
1569 acceptance, immediately upon birth of the child conceived by assisted
1570 reproduction under the agreement, of the duties of parentage.

1571 Sec. 78. (NEW) (*Effective January 1, 2022*) As used in sections 78 to 83,
1572 inclusive, of this act:

1573 (1) "Identifying information" means: (A) The full name of a donor; (B)
1574 the date of birth of the donor; and (C) the permanent and, if different,
1575 current address of the donor at the time of the donation.

1576 (2) "Medical history" means information regarding any: (A) Present

1577 illness of a donor; (B) past illness of the donor; and (C) social, genetic
1578 and family history pertaining to the health of the donor.

1579 Sec. 79. (NEW) (*Effective January 1, 2022*) (a) The provisions of sections
1580 78 to 83, inclusive, of this act apply only to gametes collected on or after
1581 January 1, 2022.

1582 (b) The provisions of this section do not apply to gametes collected
1583 from a donor whose identity is known to the recipient of the gametes at
1584 the time of the donation.

1585 Sec. 80. (NEW) (*Effective January 1, 2022*) (a) A gamete bank or fertility
1586 clinic operating in this state shall collect from a donor the donor's
1587 identifying information and medical history at the time of the donation.

1588 (b) A gamete bank or fertility clinic operating in this state that
1589 receives the gametes of a donor collected by another gamete bank or
1590 fertility clinic shall collect the name, address, telephone number and
1591 electronic mail address of the gamete bank or fertility clinic from which
1592 it receives the gametes.

1593 (c) A gamete bank or fertility clinic operating in this state shall
1594 disclose the information collected under subsections (a) and (b) of this
1595 section as provided under section 82 of this act.

1596 Sec. 81. (NEW) (*Effective January 1, 2022*) (a) A gamete bank or fertility
1597 clinic operating in this state that collects gametes from a donor shall: (1)
1598 Provide the donor with information in a record about the donor's choice
1599 regarding identity disclosure; and (2) obtain a declaration from the
1600 donor regarding identity disclosure.

1601 (b) A gamete bank or fertility clinic operating in this state shall give a
1602 donor the choice to sign a declaration, attested by a notarial officer or
1603 witnessed, that either: (1) States that the donor agrees to disclose the
1604 donor's identity to a child conceived by assisted reproduction with the
1605 donor's gametes on request once the child attains eighteen years of age;

1606 or (2) states that the donor shall not agree presently to disclose the
1607 donor's identity to the child.

1608 (c) A gamete bank or fertility clinic operating in this state shall permit
1609 a donor who has signed a declaration under subdivision (2) of
1610 subsection (b) of this section to withdraw the declaration at any time by
1611 signing a declaration under subdivision (1) of subsection (b) of this
1612 section.

1613 Sec. 82. (NEW) (*Effective January 1, 2022*) (a) On request of a child
1614 conceived by assisted reproduction who attains eighteen years of age, a
1615 gamete bank or fertility clinic operating in this state that collected the
1616 gametes used in the assisted reproduction shall make a good faith effort
1617 to provide the child with identifying information of the donor who
1618 provided the gametes, unless the donor signed and did not withdraw a
1619 declaration under subdivision (2) of subsection (b) of section 81 of this
1620 act. If the donor signed and did not withdraw the declaration, the
1621 gamete bank or fertility clinic shall make a good faith effort to notify the
1622 donor, who may elect under subsection (c) of section 81 of this act to
1623 withdraw the donor's declaration.

1624 (b) Irrespective of whether a donor signed a declaration under
1625 subdivision (2) of subsection (b) of section 81 of this act, on request by a
1626 child conceived by assisted reproduction who attains eighteen years of
1627 age, or, if the child is a minor, by a parent or guardian of the child, a
1628 gamete bank or fertility clinic operating in this state that collected the
1629 gametes used in the assisted reproduction shall make a good faith effort
1630 to provide the child or, if the child is a minor, the parent or guardian of
1631 the child, access to nonidentifying medical history of the donor.

1632 (c) On request of a child conceived by assisted reproduction who
1633 attains eighteen years of age, a gamete bank or fertility clinic operating
1634 in this state that received the gametes used in the assisted reproduction
1635 from another gamete bank or fertility clinic shall disclose the name,
1636 address, telephone number and electronic mail address of the gamete

1637 bank or fertility clinic from which it received the gametes.

1638 Sec. 83. (NEW) (*Effective January 1, 2022*) (a) A gamete bank or fertility
1639 clinic operating in this state that collects gametes for use in assisted
1640 reproduction shall maintain identifying information and medical
1641 history about each gamete donor. The gamete bank or fertility clinic
1642 shall maintain records of gamete screening and testing and comply with
1643 reporting requirements, in accordance with federal law and applicable
1644 law of this state other than the provisions of sections 1 to 86, inclusive,
1645 of this act.

1646 (b) A gamete bank or fertility clinic operating in this state that
1647 receives gametes from another gamete bank or fertility clinic operating
1648 in this state shall maintain the name, address, telephone number and
1649 electronic mail address of the gamete bank or fertility clinic from which
1650 it received the gametes.

1651 Sec. 84. (NEW) (*Effective January 1, 2022*) In applying and construing
1652 the provisions of sections 1 to 86, inclusive, of this act, consideration
1653 shall be given to the need to promote uniformity of the law with respect
1654 to its subject matter among states that enact it.

1655 Sec. 85. (NEW) (*Effective January 1, 2022*) Sections 1 to 86, inclusive, of
1656 this act modify, limit or supersede the Electronic Signatures in Global
1657 and National Commerce Act, 15 USC 7001 et seq., but do not modify,
1658 limit or supersede 15 USC 7001(c), or authorize electronic delivery of
1659 any of the notices described in 15 USC 7003(b).

1660 Sec. 86. (NEW) (*Effective January 1, 2022*) Sections 1 to 86, inclusive, of
1661 this act apply to a proceeding in which no judgment has entered before
1662 January 1, 2022, with respect to a person's parentage that has not already
1663 been adjudicated by a court of competent jurisdiction or determined by
1664 operation of law.

1665 Sec. 87. Section 7-36 of the general statutes is repealed and the
1666 following is substituted in lieu thereof (*Effective January 1, 2022*):

1667 As used in this chapter and sections 19a-40 to 19a-45, inclusive, unless
1668 the context otherwise requires:

1669 (1) "Registrar of vital statistics" or "registrar" means the registrar of
1670 births, marriages, deaths and fetal deaths or any public official charged
1671 with the care of returns relating to vital statistics;

1672 (2) "Registration" means the process by which vital records are
1673 completed, filed and incorporated into the official records of the
1674 department;

1675 (3) "Institution" means any public or private facility that provides
1676 inpatient medical, surgical or diagnostic care or treatment, or nursing,
1677 custodial or domiciliary care, or to which persons are committed by law;

1678 (4) "Vital records" means a certificate of birth, death, fetal death or
1679 marriage;

1680 (5) "Certified copy" means a copy of a birth, death, fetal death or
1681 marriage certificate that (A) includes all information on the certificate
1682 except such information that is nondisclosable by law, (B) is issued or
1683 transmitted by any registrar of vital statistics, (C) includes an attested
1684 signature and the raised seal of an authorized person, and (D) if
1685 submitted to the department, includes all information required by the
1686 commissioner;

1687 (6) "Uncertified copy" means a copy of a birth, death, fetal death or
1688 marriage certificate that includes all information contained in a certified
1689 copy except an original attested signature and a raised seal of an
1690 authorized person;

1691 (7) "Authenticate" or "authenticated" means to affix to a vital record
1692 in paper format the official seal, or to affix to a vital record in electronic
1693 format the user identification, password, or other means of electronic
1694 identification, as approved by the department, of the creator of the vital
1695 record, or the creator's designee, by which affixing the creator of such

1696 paper or electronic vital record, or the creator's designee, affirms the
1697 integrity of such vital record;

1698 (8) "Attest" means to verify a vital record in accordance with the
1699 provisions of subdivision (5) of this section;

1700 (9) "Correction" means to change or enter new information on a
1701 certificate of birth, marriage, death or fetal death, within one year of the
1702 date of the vital event recorded in such certificate, in order to accurately
1703 reflect the facts existing at the time of the recording of such vital event,
1704 where such changes or entries are to correct errors on such certificate
1705 due to inaccurate or incomplete information provided by the informant
1706 at the time the certificate was prepared, or to correct transcribing,
1707 typographical or clerical errors;

1708 (10) "Amendment" means to (A) change or enter new information on
1709 a certificate of birth, marriage, death or fetal death, more than one year
1710 after the date of the vital event recorded in such certificate, in order to
1711 accurately reflect the facts existing at the time of the recording of the
1712 event, (B) create a replacement certificate of birth for matters pertaining
1713 to parentage and gender change, or (C) reflect a legal name change in
1714 accordance with section 19a-42, as amended by this act, or make a
1715 modification to a cause of death;

1716 (11) "Acknowledgment of paternity" means to legally acknowledge
1717 paternity of a child pursuant to section 46b-172, as amended by this act;

1718 (12) "Adjudication of paternity" means to legally establish paternity
1719 through an order of a court of competent jurisdiction;

1720 (13) "Parentage" includes matters relating to adoption, [gestational]
1721 surrogacy agreements, paternity and maternity;

1722 (14) "Department" means the Department of Public Health;

1723 (15) "Commissioner" means the Commissioner of Public Health or the
1724 commissioner's designee;

1725 [(16) "Gestational agreement" means a written agreement for assisted
1726 reproduction in which a woman agrees to carry a child to birth for an
1727 intended parent or intended parents, which woman contributed no
1728 genetic material to the child and which agreement (A) names each party
1729 to the agreement and indicates each party's respective obligations under
1730 the agreement, (B) is signed by each party to the agreement and the
1731 spouse of each such party, if any, and (C) is witnessed by at least two
1732 disinterested adults and acknowledged in the manner prescribed by
1733 law;]

1734 (16) "Surrogacy agreement" means an agreement between one or
1735 more intended parents and a person who is not an intended parent in
1736 which such person agrees to become pregnant through assisted
1737 reproduction and which provides that each intended parent is a parent
1738 of a child conceived under the agreement. Unless the context otherwise
1739 requires, "surrogacy agreement" includes an agreement with a person
1740 acting as a gestational surrogate and an agreement with a person acting
1741 as a genetic surrogate;

1742 (17) "Intended parent" means a [party to a gestational agreement who
1743 agrees, under the gestational agreement, to be the parent of a child born
1744 to a woman by means of assisted reproduction, regardless of whether
1745 the party has a genetic relationship to the child] person, married or
1746 unmarried, who manifests an intent to be legally bound as a parent of a
1747 child conceived by assisted reproduction;

1748 (18) "Foundling" means (A) a child of unknown parentage, or (B) an
1749 infant voluntarily surrendered pursuant to the provisions of section 17a-
1750 58; and

1751 (19) "Certified homeless youth" means a person who is at least fifteen
1752 years of age but less than eighteen years of age, is not in the physical
1753 custody of a parent or legal guardian, who is a homeless child or youth,
1754 as defined in 42 USC 11434a, as amended from time to time, and who
1755 has been certified as homeless by (A) a school district homeless liaison,

1756 (B) the director of an emergency shelter program funded by the United
1757 States Department of Housing and Urban Development, or the
1758 director's designee, or (C) the director of a runaway or homeless youth
1759 basic center or transitional living program funded by the United States
1760 Department of Health and Human Services, or the director's designee.

1761 Sec. 88. Section 7-48a of the general statutes is repealed and the
1762 following is substituted in lieu thereof (*Effective January 1, 2022*):

1763 (a) Each original certificate of birth shall be filed with the name of the
1764 birth [mother] parent recorded.

1765 (b) If the birth is subject to a [gestational] surrogacy agreement, the
1766 Department of Public Health shall create a replacement certificate of
1767 birth immediately upon: (1) Receipt of a certified copy of an order of a
1768 court of competent jurisdiction [approving a gestational agreement and]
1769 issuing an order of parentage pursuant to such [gestational] surrogacy
1770 agreement, if such order is received by the department after the birth of
1771 the child, or (2) the filing of an original certificate of birth, if such order
1772 is received by the department prior to the birth of the child. The
1773 department shall prepare the replacement certificate of birth for the
1774 child born of the agreement in accordance with such order. The
1775 replacement certificate of birth shall include all information required to
1776 be included in a certificate of birth of this state as of the date of the birth,
1777 except that the intended parent or parents under the [gestational]
1778 surrogacy agreement shall be named as the parent or parents of the
1779 child. When a certified copy of a certificate of birth is requested by an
1780 eligible party, as provided in section 7-51, as amended by this act, for
1781 which a replacement certificate of birth has been created pursuant to this
1782 subsection, a copy of the replacement certificate of birth shall be
1783 provided. The department shall seal the original certificate of birth in
1784 accordance with the provisions of subsection (c) of section 19a-42.

1785 (c) Immediately after a replacement certificate of birth has been
1786 prepared, the department shall transmit an exact copy of such certificate

1787 to the registrar of vital statistics of the town of birth and to any other
1788 registrar as the department deems appropriate. Such registrar shall
1789 proceed in accordance with the provisions of section 19a-42, as amended
1790 by this act.

1791 Sec. 89. Section 7-50 of the general statutes is repealed and the
1792 following is substituted in lieu thereof (*Effective January 1, 2022*):

1793 (a) No certificate of birth shall contain any specific statement that the
1794 child was born [in or out of wedlock or reference to illegitimacy of the
1795 child or to the marital status of the mother] to parents married or
1796 unmarried to each other, except that information on whether the child
1797 was born [in or out of wedlock] to parents married or unmarried to each
1798 other and the marital status of the [mother] person who gave birth shall
1799 be recorded on a confidential portion of the certificate pursuant to
1800 section 7-48. Upon the completion of an acknowledgment of [paternity]
1801 parentage at a hospital, concurrent with the hospital's electronic
1802 transmission of birth data to the department, or at a town in the case of
1803 a home birth, concurrent with the registration of the birth data by the
1804 town, the acknowledgment shall be filed in the [paternity] parentage
1805 registry maintained by the department, as required by section 19a-42a,
1806 as amended by this act, and the name of the [father of a child born out
1807 of wedlock] acknowledged parent shall be entered in or upon the birth
1808 certificate or birth record of such child. All properly completed post
1809 birth acknowledgments or certified adjudications of [paternity]
1810 parentage received by the department shall be filed in the [paternity]
1811 parentage registry maintained by the department, and the name of the
1812 [father of the child born out of wedlock] acknowledged parent shall be
1813 entered in or upon the birth record or certificate of such child by the
1814 department, if there is no [paternity] parentage, other than the person
1815 who gave birth, already recorded on the birth certificate. If [another
1816 father's information is recorded on the certificate, the original father's]
1817 the certificate already contains the information of a parent other than
1818 the person who gave birth, information shall not be removed except
1819 upon receipt by the department of a certified order by a court of

1820 competent jurisdiction in which there is a finding that the individual
1821 recorded on the birth certificate, specifically referenced by name, is not
1822 the child's [father] parent, or a finding that a different individual than
1823 the one recorded, specifically referenced by name, is the child's [father]
1824 parent. The name of the [father] parent on a birth certificate or birth
1825 record shall otherwise be removed or changed only upon the filing of a
1826 rescission in such registry, as provided in section 19a-42a, as amended
1827 by this act. The Social Security number of the father of a nonmarital child
1828 [born out of wedlock] may be entered in or upon the birth certificate or
1829 birth record of such child if such entry is done in accordance with 5 USC
1830 552a. [note.]

1831 (b) The department shall restrict access to and issuance of certified
1832 copies of acknowledgments of paternity and acknowledgments of
1833 parentage as provided in section 19a-42a, as amended by this act.

1834 Sec. 90. Subsection (a) of section 7-51 of the general statutes is
1835 repealed and the following is substituted in lieu thereof (*Effective January*
1836 *1, 2022*):

1837 (a) (1) The department and registrars of vital statistics shall restrict
1838 access to and issuance of a certified copy of birth and fetal death records
1839 and certificates less than one hundred years old, to the following eligible
1840 parties: (A) The person whose birth is recorded, if such person is (i) over
1841 eighteen years of age, (ii) a certified homeless youth, as defined in
1842 section 7-36, as amended by this act, or (iii) a minor emancipated
1843 pursuant to sections 46b-150 to 46b-150e, inclusive; (B) such person's
1844 child, grandchild, spouse, parent, guardian or grandparent; (C) the chief
1845 executive officer of the municipality where the birth or fetal death
1846 occurred, or the chief executive officer's authorized agent; (D) the local
1847 director of health for the town or city where the birth or fetal death
1848 occurred or where the [mother] person who gave birth was a resident at
1849 the time of the birth or fetal death, or the director's authorized agent; (E)
1850 attorneys-at-law representing such person or such person's parent,
1851 guardian, child or surviving spouse; (F) a conservator of the person

1852 appointed for such person; (G) a member of a genealogical society
1853 incorporated or authorized by the Secretary of the State to do business
1854 or conduct affairs in this state; (H) an agent of a state or federal agency
1855 as approved by the department; and (I) a researcher approved by the
1856 department pursuant to section 19a-25.

1857 (2) Except as provided in section 7-53 and section 19a-42a, as
1858 amended by this act, access to confidential files on [paternity] parentage,
1859 adoption, gender change or [gestational] surrogacy agreements, or
1860 information contained within such files, shall not be released to any
1861 party, including the eligible parties listed in subdivision (1) of this
1862 subsection, except upon an order of a court of competent jurisdiction.

1863 Sec. 91. Subsection (a) of section 7-51a of the general statutes is
1864 repealed and the following is substituted in lieu thereof (*Effective January*
1865 *1, 2022*):

1866 (a) Any person eighteen years of age or older may purchase certified
1867 copies of marriage and death records, and certified copies of records of
1868 births or fetal deaths which are at least one hundred years old, in the
1869 custody of any registrar of vital statistics. The department may issue
1870 uncertified copies of death certificates for deaths occurring less than one
1871 hundred years ago, and uncertified copies of birth, marriage, death and
1872 fetal death certificates for births, marriages, deaths and fetal deaths that
1873 occurred at least one hundred years ago, to researchers approved by the
1874 department pursuant to section 19a-25, and to state and federal agencies
1875 approved by the department. During all normal business hours,
1876 members of genealogical societies incorporated or authorized by the
1877 Secretary of the State to do business or conduct affairs in this state shall
1878 (1) have full access to all vital records in the custody of any registrar of
1879 vital statistics, including certificates, ledgers, record books, card files,
1880 indexes and database printouts, except for those records containing
1881 Social Security numbers protected pursuant to 42 USC 405 (c)(2)(C), and
1882 confidential files on adoptions, gender change, [gestational] surrogacy
1883 agreements, [and paternity] and parentage, (2) be permitted to make

1884 notes from such records, (3) be permitted to purchase certified copies of
1885 such records, and (4) be permitted to incorporate statistics derived from
1886 such records in the publications of such genealogical societies. For all
1887 vital records containing Social Security numbers that are protected from
1888 disclosure pursuant to federal law, the Social Security numbers
1889 contained on such records shall be redacted from any certified copy of
1890 such records issued to a genealogist by a registrar of vital statistics.

1891 Sec. 92. Subsection (c) of section 17a-60 of the general statutes is
1892 repealed and the following is substituted in lieu thereof (*Effective January*
1893 *1, 2022*):

1894 (c) Possession of a bracelet linking the parent or lawful agent to an
1895 infant surrendered to a designated employee if parental rights have not
1896 been terminated creates a presumption the parent or lawful agent has
1897 standing to participate in a custody hearing for the infant under chapter
1898 319a but does not create a presumption of [maternity, paternity]
1899 parentage or custody.

1900 Sec. 93. Section 17b-27 of the general statutes is repealed and the
1901 following is substituted in lieu thereof (*Effective January 1, 2022*):

1902 (a) Each hospital or other institution where births occur, and each
1903 entity that is approved by the Commissioner of Social Services to
1904 participate in the voluntary [paternity] parentage establishment
1905 program, shall, with the assistance of the commissioner, develop a
1906 protocol for a voluntary [paternity] parentage establishment program as
1907 provided in regulations adopted pursuant to subsection (b) of this
1908 section, which shall be consistent with the provisions of [subsection (a)
1909 of section 46b-172] sections 24 to 35, inclusive, of this act and shall
1910 encourage the positive involvement of both parents in the life of the
1911 child. Each such protocol shall assure that the participants are informed,
1912 are competent to understand and agree to an affirmation or
1913 acknowledgment of [paternity] parentage, and that any such
1914 affirmation or acknowledgment is voluntary and free from coercion.

1915 Each such protocol shall also provide for the training of all staff
1916 members involved in the voluntary [paternity] parentage establishment
1917 process so that such staff members will understand their obligations to
1918 implement the voluntary [paternity] parentage establishment program
1919 in such a way that the participants are informed, are competent to
1920 understand and agree to an affirmation or acknowledgment of
1921 [paternity] parentage, and that any such affirmation or
1922 acknowledgment is voluntary and free from coercion. No entity may
1923 participate in the program until its protocol has been approved by the
1924 commissioner. The commissioner shall make all protocols and proposed
1925 protocols available for public inspection. No entity or location at which
1926 all or a substantial portion of occupants are present involuntarily,
1927 including, but not limited to, a prison or a mental hospital, but excluding
1928 any site having a research and demonstration project established under
1929 subsection (d) of section 1 of public act 99-193, may be approved for
1930 participation in the voluntary [paternity] parentage establishment
1931 program; nor may the commissioner approve any further site for
1932 participation in the program if it maintains a coercive environment or if
1933 the failure to acknowledge [paternity] parentage may result in the loss
1934 of benefits or services controlled by the entity, which are unrelated to
1935 [paternity] parentage.

1936 (b) The Commissioner of Social Services shall adopt regulations in
1937 accordance with chapter 54 to implement the provisions of subsection
1938 (a) of this section. Such regulations shall specify the requirements for
1939 participation in the voluntary [paternity] parentage establishment
1940 program and shall include, but not be limited to, provisions (1) to assure
1941 that affirmations of [paternity by the mother and acknowledgments of
1942 paternity by the putative father] parentage are voluntary and free from
1943 coercion, and (2) to establish the contents of notices which shall be
1944 provided to the [mother and to the putative father] parents before
1945 affirmation or acknowledgment. The notice to the [mother] parent who
1946 gave birth shall include, but not be limited to, notice that the affirmation
1947 or acknowledgment of [paternity] parentage may result in rights of

1948 custody and visitation, as well as a duty of support, in the person named
1949 as [the father] a parent. The notice to the [putative father] acknowledged
1950 parent shall include, but not be limited to, notice that: (A) [He] The
1951 acknowledged parent has the right to: (i) Establish [his paternity]
1952 parentage voluntarily or through court action, or to contest [paternity]
1953 parentage; (ii) appointment of counsel; (iii) in cases where the
1954 acknowledged parent is an alleged genetic parent, a genetic test to
1955 determine [paternity] parentage prior to signing an acknowledgment or
1956 in conjunction with a court action; and (iv) a trial by the Superior Court
1957 or a family support magistrate, and (B) acknowledgment of [paternity
1958 will make him] parentage shall make the acknowledged parent liable
1959 for the financial support of the child until the child's eighteenth birthday
1960 and may result in rights of custody and visitation being conferred on the
1961 [father] acknowledged parent. In no event shall the [mother's] failure of
1962 the parent who gave birth to sign an affirmation or acknowledgment of
1963 [paternity] parentage in the hospital or with any other entity agreeing
1964 to participate in the voluntary [paternity] parentage establishment
1965 program be considered failure to cooperate with the establishment of
1966 support for the purposes of eligibility for temporary assistance for
1967 needy families.

1968 (c) The Department of Public Health shall establish a voluntary
1969 acknowledgment of [paternity] parentage system consistent with the
1970 provisions of [subsection (a) of section 46b-172] sections 24 to 35,
1971 inclusive, of this act.

1972 Sec. 94. Subsections (a) and (b) of section 17b-137a of the general
1973 statutes are repealed and the following is substituted in lieu thereof
1974 (*Effective January 1, 2022*):

1975 (a) The Social Security number of the applicant shall be recorded on
1976 each (1) application for a license, certification or permit to engage in a
1977 profession or occupation regulated pursuant to the provisions of title
1978 19a, 20 or 21; (2) application for a commercial driver's license or
1979 commercial driver's instruction permit completed pursuant to

1980 subsection (a) of section 14-44c; and (3) application for a marriage license
1981 made under section 46b-25.

1982 (b) The Social Security number of any individual who is subject to a
1983 dissolution of marriage decree, dissolution of civil union decree,
1984 support order or [paternity] parentage determination or
1985 acknowledgment shall be placed in the records relating to the matter.

1986 Sec. 95. Subparagraph (A) of subdivision (2) of subsection (a) of
1987 section 17b-137 of the general statutes is repealed and the following is
1988 substituted in lieu thereof (*Effective January 1, 2022*):

1989 (2) (A) Such disclosure may be obtained in like manner of the
1990 property, wages or indebtedness of any person who is either: (i) Liable
1991 for the support of any such applicant or recipient, including the parents
1992 of any child receiving aid or services through the Department of
1993 Children and Families, or one adjudged or acknowledged to be the
1994 [father of an illegitimate] parent of a child; or (ii) the subject of an
1995 investigation in a IV-D support case, as defined in subdivision (13) of
1996 subsection (b) of section 46b-231. Any company or officer who has
1997 control of the books and accounts of any corporation shall make full
1998 disclosure to the IV-D agency, as defined in subdivision (12) of
1999 subsection (b) of section 46b-231, or to the support enforcement officer
2000 of the Superior Court of any such property, wages or indebtedness in all
2001 support cases, including IV-D support cases, as defined in subdivision
2002 (13) of subsection (b) of section 46b-231.

2003 Sec. 96. Subsections (d) and (e) of section 19a-42 of the general statutes
2004 are repealed and the following is substituted in lieu thereof (*Effective*
2005 *January 1, 2022*):

2006 (d) (1) Upon receipt of (A) an acknowledgment of [paternity]
2007 parentage executed in accordance with the provisions of [subsection (a)
2008 of section 46b-172] sections 24 to 35, inclusive, of this act by both parents
2009 of a child, [born out of wedlock,] or (B) a certified copy of an order of a
2010 court of competent jurisdiction establishing the [paternity] parentage of

2011 a child born out of wedlock, the commissioner shall include on or
2012 amend, as appropriate, such child's birth certificate to show such
2013 [paternity if paternity] parentage if parentage is not already shown on
2014 such birth certificate and to change the name of the child under eighteen
2015 years of age if so indicated on the acknowledgment of [paternity]
2016 parentage form or within the certified court order as part of the
2017 [paternity] parentage action. If a person who is the subject of a voluntary
2018 acknowledgment of [paternity] parentage, as described in this
2019 subdivision, is eighteen years of age or older, the commissioner shall
2020 obtain a notarized affidavit from such person affirming that [he or she]
2021 such person agrees to the commissioner's amendment of such person's
2022 birth certificate as such amendment relates to the acknowledgment of
2023 [paternity] parentage. The commissioner shall amend the birth
2024 certificate for an adult child to change [his or her] the child's name only
2025 pursuant to a court order.

2026 (2) If [another father is listed on] the birth certificate lists the
2027 information of a parent other than the person who gave birth, the
2028 commissioner shall not remove or replace the [father's] parent's
2029 information unless presented with a certified court order that meets the
2030 requirements specified in section 7-50, as amended by this act, or upon
2031 the proper filing of a rescission, in accordance with the provisions of
2032 section 46b-172, as amended by this act. The commissioner shall
2033 thereafter amend such child's birth certificate to remove or change the
2034 [father's] name of the parent other than the person who gave birth and,
2035 if relevant, to change the name of the child, as requested at the time of
2036 the filing of a rescission, in accordance with the provisions of section
2037 46b-172, as amended by this act. Birth certificates amended under this
2038 subsection shall not be marked "Amended".

2039 (e) When the parent or parents of a child request the amendment of
2040 the child's birth certificate to reflect a new [mother's] name of the parent
2041 who gave birth because the name on the original certificate is fictitious,
2042 such parent or parents shall obtain an order of a court of competent
2043 jurisdiction declaring the [putative mother] person who gave birth to be

2044 the child's [mother] parent. Upon receipt of a certified copy of such
2045 order, the department shall amend the child's birth certificate to reflect
2046 the [mother's] parent's true name.

2047 Sec. 97. Section 19a-42a of the general statutes is repealed and the
2048 following is substituted in lieu thereof (*Effective January 1, 2022*):

2049 (a) All (1) voluntary acknowledgments of [paternity] parentage and
2050 rescissions of such acknowledgments executed in accordance with
2051 [subsection (a) of section 46b-172] sections 24 to 37, inclusive, of this act,
2052 and (2) adjudications of [paternity] parentage issued by a court or family
2053 support magistrate under section 19 of this act, section 46b-171, as
2054 amended by this act, section 46b-172a, as amended by this act, or any
2055 other provision of the general statutes shall be filed in the [paternity]
2056 parentage registry maintained by the Department of Public Health. All
2057 information in such registry shall be made available to the IV-D agency,
2058 as defined in subdivision (12) of subsection (b) of section 46b-231, for
2059 comparison with information in the state case registry established under
2060 subsection (l) of section 17b-179. The IV-D agency may disclose
2061 information in the [paternity] parentage registry to an agency under
2062 cooperative agreement with the IV-D agency for child support
2063 enforcement purposes.

2064 (b) Except for the IV-D agency, as provided in subsection (a) of this
2065 section, the department shall restrict access to and issuance of certified
2066 copies of acknowledgments of [paternity] parentage to the following
2067 parties: (1) Parents named on the acknowledgment of [paternity]
2068 parentage; (2) the person whose birth is acknowledged, if such person
2069 is eighteen years of age or older; (3) a guardian of the person whose birth
2070 is acknowledged; (4) an authorized representative of the Department of
2071 Social Services; (5) an attorney representing such person or a parent
2072 named on the acknowledgment; or (6) agents of a state or federal
2073 agency, as approved by the department.

2074 Sec. 98. Subsection (a) of section 45a-8a of the general statutes is

2075 repealed and the following is substituted in lieu thereof (*Effective January*
2076 *1, 2022*):

2077 (a) For the purposes of this section, "children's matters" means: (1)
2078 Guardianship matters under sections 45a-603 to 45a-625, inclusive; (2)
2079 termination of parental rights matters under sections 45a-706 to 45a-719,
2080 inclusive; (3) adoption matters under sections 45a-724 to 45a-733,
2081 inclusive, and sections 45a-736 and 45a-737; (4) claims for [paternity]
2082 parentage under section 5 of this act and section 46b-172a, as amended
2083 by this act; (5) emancipation of minor matters under sections 46b-150 to
2084 46b-150e, inclusive; and (6) voluntary admission matters under section
2085 17a-11.

2086 Sec. 99. Subsection (b) of section 45a-106a of the general statutes is
2087 repealed and the following is substituted in lieu thereof (*Effective January*
2088 *1, 2022*):

2089 (b) The fee to file each of the following motions, petitions or
2090 applications in a Probate Court is two hundred fifty dollars:

2091 (1) With respect to a minor child: (A) Appoint a temporary guardian,
2092 temporary custodian, guardian, coguardian, permanent guardian or
2093 statutory parent, (B) remove a guardian, including the appointment of
2094 another guardian, (C) reinstate a parent as guardian, (D) terminate
2095 parental rights, including the appointment of a guardian or statutory
2096 parent, (E) grant visitation, (F) make findings regarding special
2097 immigrant juvenile status, (G) approve placement of a child for
2098 adoption outside this state, (H) approve an adoption, (I) validate a
2099 foreign adoption, (J) review, modify or enforce a cooperative
2100 postadoption agreement, (K) review an order concerning contact
2101 between an adopted child and his or her siblings, (L) resolve a dispute
2102 concerning a standby guardian, (M) approve a plan for voluntary
2103 services provided by the Department of Children and Families, (N)
2104 determine whether the termination of voluntary services provided by
2105 the Department of Children and Families is in accordance with

2106 applicable regulations, (O) conduct an in-court review to modify an
2107 order, (P) grant emancipation, (Q) grant approval to marry, (R) transfer
2108 funds to a custodian under sections 45a-557 to 45a-560b, inclusive, (S)
2109 appoint a successor custodian under section 45a-559c, (T) resolve a
2110 dispute concerning custodianship under sections 45a-557 to 45a-560b,
2111 inclusive, and (U) grant authority to purchase real estate;

2112 (2) Determine ~~[paternity]~~ parentage;

2113 (3) Validate a genetic surrogacy agreement;

2114 [(3)] (4) Determine the age and date of birth of an adopted person
2115 born outside the United States;

2116 [(4)] (5) With respect to adoption records: (A) Appoint a guardian ad
2117 litem for a biological relative who cannot be located or appears to be
2118 incompetent, (B) appeal the refusal of an agency to release information,
2119 (C) release medical information when required for treatment, and (D)
2120 grant access to an original birth certificate;

2121 [(5)] (6) Approve an adult adoption;

2122 [(6)] (7) With respect to a conservatorship: (A) Appoint a temporary
2123 conservator, conservator or special limited conservator, (B) change
2124 residence, terminate a tenancy or lease, sell or dispose household
2125 furnishings, or place in a long-term care facility, (C) determine
2126 competency to vote, (D) approve a support allowance for a spouse, (E)
2127 grant authority to elect the spousal share, (F) grant authority to purchase
2128 real estate, (G) give instructions regarding administration of a joint asset
2129 or liability, (H) distribute gifts, (I) grant authority to consent to
2130 involuntary medication, (J) determine whether informed consent has
2131 been given for voluntary admission to a hospital for psychiatric
2132 disabilities, (K) determine life-sustaining medical treatment, (L) transfer
2133 to or from another state, (M) modify the conservatorship in connection
2134 with a periodic review, (N) excuse accounts under rules of procedure
2135 approved by the Supreme Court under section 45a-78, (O) terminate the

2136 conservatorship, and (P) grant a writ of habeas corpus;

2137 [[7]] (8) With respect to a power of attorney: (A) Compel an account
2138 by an agent, (B) review the conduct of an agent, (C) construe the power
2139 of attorney, and (D) mandate acceptance of the power of attorney;

2140 [[8]] (9) Resolve a dispute concerning advance directives or life-
2141 sustaining medical treatment when the individual does not have a
2142 conservator or guardian;

2143 [[9]] (10) With respect to an elderly person, as defined in section 17b-
2144 450: (A) Enjoin an individual from interfering with the provision of
2145 protective services to such elderly person, and (B) authorize the
2146 Commissioner of Social Services to enter the premises of such elderly
2147 person to determine whether such elderly person needs protective
2148 services;

2149 [[10]] (11) With respect to an adult with intellectual disability: (A)
2150 Appoint a temporary limited guardian, guardian or standby guardian,
2151 (B) grant visitation, (C) determine competency to vote, (D) modify the
2152 guardianship in connection with a periodic review, (E) determine life-
2153 sustaining medical treatment, (F) approve an involuntary placement,
2154 (G) review an involuntary placement, (H) authorize a guardian to
2155 manage the finances of such adult, and (I) grant a writ of habeas corpus;

2156 [[11]] (12) With respect to psychiatric disability: (A) Commit an
2157 individual for treatment, (B) issue a warrant for examination of an
2158 individual at a general hospital, (C) determine whether there is probable
2159 cause to continue an involuntary confinement, (D) review an
2160 involuntary confinement for possible release, (E) authorize shock
2161 therapy, (F) authorize medication for treatment of psychiatric disability,
2162 (G) review the status of an individual under the age of sixteen as a
2163 voluntary patient, and (H) recommit an individual under the age of
2164 sixteen for further treatment;

2165 [[12]] (13) With respect to drug or alcohol dependency: (A) Commit

2166 an individual for treatment, (B) recommit an individual for further
2167 treatment, and (C) terminate an involuntary confinement;

2168 [(13)] (14) With respect to tuberculosis: (A) Commit an individual for
2169 treatment, (B) issue a warrant to enforce an examination order, and (C)
2170 terminate an involuntary confinement;

2171 [(14)] (15) Compel an account by the trustee of an inter vivos trust,
2172 custodian under sections 45a-557 to 45a-560b, inclusive, or treasurer of
2173 an ecclesiastical society or cemetery association;

2174 [(15)] (16) With respect to a testamentary or inter vivos trust: (A)
2175 Construe, divide, reform or terminate the trust, (B) enforce the
2176 provisions of a pet trust, and (C) excuse a final account under rules of
2177 procedure approved by the Supreme Court under section 45a-78;

2178 [(16)] (17) Authorize a fiduciary to establish a trust;

2179 [(17)] (18) Appoint a trustee for a missing person;

2180 [(18)] (19) Change a person's name;

2181 [(19)] (20) Issue an order to amend the birth certificate of an
2182 individual born in another state to reflect a gender change;

2183 [(20)] (21) Require the Department of Public Health to issue a delayed
2184 birth certificate;

2185 [(21)] (22) Compel the board of a cemetery association to disclose the
2186 minutes of the annual meeting;

2187 [(22)] (23) Issue an order to protect a grave marker;

2188 [(23)] (24) Restore rights to purchase, possess and transport firearms;

2189 [(24)] (25) Issue an order permitting sterilization of an individual;

2190 [(25)] (26) Approve the transfer of structured settlement payment

2191 rights; and

2192 [(26)] (27) With respect to any case in a Probate Court other than a
2193 decedent's estate: (A) Compel or approve an action by the fiduciary, (B)
2194 give advice or instruction to the fiduciary, (C) authorize a fiduciary to
2195 compromise a claim, (D) list, sell or mortgage real property, (E)
2196 determine title to property, (F) resolve a dispute between cofiduciaries
2197 or among fiduciaries, (G) remove a fiduciary, (H) appoint a successor
2198 fiduciary or fill a vacancy in the office of fiduciary, (I) approve fiduciary
2199 or attorney's fees, (J) apply the doctrine of cy pres or approximation, (K)
2200 reconsider, modify or revoke an order, and (L) decide an action on a
2201 probate bond.

2202 Sec. 100. Subsection (a) of section 45a-257b of the general statutes is
2203 repealed and the following is substituted in lieu thereof (*Effective January*
2204 *1, 2022*):

2205 (a) Except as provided in subsection (b) of this section, if a testator
2206 fails to provide in the testator's will for any of the testator's children born
2207 or adopted after the execution of the will, including any child who is
2208 born as a result of [artificial insemination to which the testator has
2209 consented in accordance with subsection (b) of section 45a-772] assisted
2210 reproduction, as defined in section 2 of this act, and any child born after
2211 the death of the testator as provided in subsection (a) of section 45a-785,
2212 the omitted after-born or after-adopted child receives a share in the
2213 estate as follows:

2214 (1) If the testator had no child living when the testator executed the
2215 will, an omitted after-born or after-adopted child receives a share in the
2216 estate equal in value to that which the child would have received had
2217 the testator died intestate, unless the will devised or bequeathed all or
2218 substantially all of the estate to the other parent of the omitted child and
2219 that other parent survives the testator and is entitled to take under the
2220 will.

2221 (2) If the testator had one or more children living when the testator

2222 executed the will, and the will devised or bequeathed property or an
2223 interest in property to one or more of the then-living children, an
2224 omitted after-born or after-adopted child is entitled to share in the
2225 testator's estate as follows:

2226 (A) Except as provided in subparagraph (E) of this subdivision, the
2227 portion of the testator's estate in which the omitted after-born or after-
2228 adopted child is entitled to share is limited to devises and legacies made
2229 to the testator's then-living children under the will.

2230 (B) The omitted after-born or after-adopted child is entitled to receive
2231 the share of the testator's estate, as limited in subparagraph (A) of this
2232 subdivision, that the child would have received had the testator
2233 included all omitted after-born and after-adopted children with the
2234 children to whom devises and legacies were made under the will and
2235 had given an equal share of the estate to each child.

2236 (C) To the extent feasible, the interest granted an omitted after-born
2237 or after-adopted child under this section must be of the same character,
2238 whether equitable or legal, present or future, as that devised or
2239 bequeathed to the testator's then-living children under the will.

2240 (D) In satisfying a share provided by this subdivision, devises and
2241 legacies to the testator's children who were living when the will was
2242 executed abate ratably. In the abatement of the devises and legacies of
2243 the then-living children, to the maximum extent possible the character
2244 of the testamentary plan adopted by the testator shall be preserved.

2245 (E) If it appears from the will that the intention of the testator was to
2246 make a limited provision which specifically applied only to the testator's
2247 living children at the time the will was executed, the after-born or after-
2248 adopted child succeeds to the portion of such testator's estate as would
2249 have passed to such child had the testator died intestate.

2250 Sec. 101. Subsection (a) of section 45a-262 of the general statutes is
2251 repealed and the following is substituted in lieu thereof (*Effective January*

2252 1, 2022):

2253 (a) The words "child", "children", "issue", "descendants",
2254 "descendant", "heirs", "heir", "unlawful heirs", "grandchild" and
2255 "grandchildren", when used in the singular or plural in any will or trust
2256 instrument, shall, unless such document clearly indicates a contrary
2257 intention, be deemed to include children born as a result of [A.I.D.]
2258 assisted reproduction. The provisions of this subsection shall apply to
2259 wills and trust instruments whether or not executed before, on or after
2260 October 1, 1975, unless the instrument indicates an intent to the
2261 contrary.

2262 Sec. 102. Subsection (b) of section 45a-437 of the general statutes is
2263 repealed and the following is substituted in lieu thereof (*Effective January*
2264 *1, 2022*):

2265 (b) For the purposes of this section:

2266 (1) Issue includes children [born out of wedlock] who qualify for
2267 inheritance under the provisions of section 45a-438, as amended by this
2268 act, and the legal representatives of such children;

2269 (2) A [father of a child born out of wedlock] person shall be
2270 considered a parent if the [father] person qualifies for inheritance from
2271 or through the child under the provisions of section 45a-438b, as
2272 amended by this act.

2273 Sec. 103. Subsection (b) of section 45a-438 of the general statutes is
2274 repealed and the following is substituted in lieu thereof (*Effective January*
2275 *1, 2022*):

2276 (b) Except as provided in section 45a-731, for the purposes of this
2277 chapter, a child [born out of wedlock] and the child's legal
2278 representatives shall qualify for inheritance from or through the [father
2279 if (1) the father's paternity was established by a written
2280 acknowledgment of paternity under section 46b-172, or (2) the father's

2281 paternity has been adjudicated by a court of competent jurisdiction
2282 under chapter 815y] parent if parentage is established in accordance
2283 with the provisions of the Connecticut Parentage Act or by adoption. If
2284 parentage is based on subdivision (3) of subsection (a) of section 36 or
2285 sections 40 to 50, inclusive, of the Connecticut Parentage Act, parentage
2286 shall be established by a voluntary acknowledgment of parentage under
2287 sections 24 to 35, inclusive, of the Connecticut Parentage Act, or by court
2288 adjudication.

2289 Sec. 104. Section 45a-438b of the general statutes is repealed and the
2290 following is substituted in lieu thereof (*Effective January 1, 2022*):

2291 Except as provided in section 45a-731, for the purposes of this
2292 chapter, a [father and his kindred] parent and the parent's kindred shall
2293 qualify for inheritance from or through a child [who was born out of
2294 wedlock if (1) the father's paternity was established by a written
2295 acknowledgment of paternity under section 46b-172, or (2) the father's
2296 paternity has been adjudicated by a court of competent jurisdiction
2297 under chapter 815y] if parentage is established in accordance with the
2298 provisions of the Connecticut Parentage Act or by adoption. If parentage
2299 is based on subdivision (3) of subsection (a) of section 36 or sections 40
2300 to 50, inclusive, of the Connecticut Parentage Act, parentage shall be
2301 established by a voluntary acknowledgment of parentage under
2302 sections 24 to 35, inclusive, of the Connecticut Parentage Act, or by court
2303 adjudication.

2304 Sec. 105. Section 45a-604 of the general statutes is repealed and the
2305 following is substituted in lieu thereof (*Effective January 1, 2022*):

2306 As used in sections 45a-603 to 45a-622, inclusive:

2307 (1) "Mother" means a woman who [can show proof by means of a
2308 birth certificate or other sufficient evidence of having given birth to a
2309 child and an adoptive mother as shown by a decree of a court of
2310 competent jurisdiction or otherwise] is a parent as defined in section 2
2311 of this act;

2312 (2) "Father" means a man who is a [father under the law of this state
2313 including a man who, in accordance with section 46b-172, executes a
2314 binding acknowledgment of paternity and a man determined to be a
2315 father under chapter 815y] parent as defined by section 2 of this act;

2316 (3) "Parent" [means a mother as defined in subdivision (1) of this
2317 section or a "father" as defined in subdivision (2) of this section] has the
2318 same meaning as provided in section 2 of this act;

2319 (4) "Minor" or "minor child" means a person under the age of
2320 eighteen;

2321 (5) "Guardianship" means guardianship of the person of a minor, and
2322 includes: (A) The obligation of care and control; (B) the authority to
2323 make major decisions affecting the minor's education and welfare,
2324 including, but not limited to, consent determinations regarding
2325 marriage, enlistment in the armed forces and major medical, psychiatric
2326 or surgical treatment; and (C) upon the death of the minor, the authority
2327 to make decisions concerning funeral arrangements and the disposition
2328 of the body of the minor;

2329 (6) "Guardian" means a person who has the authority and obligations
2330 of "guardianship", as defined in subdivision (5) of this section;

2331 (7) "Termination of parental rights" means the complete severance by
2332 court order of the legal relationship, with all its rights and
2333 responsibilities, between the child and the child's parent or parents so
2334 that the child is free for adoption, except that it shall not affect the right
2335 of inheritance of the child or the religious affiliation of the child;

2336 (8) "Permanent guardianship" means a guardianship, as defined in
2337 subdivision (5) of this section, that is intended to endure until the minor
2338 reaches the age of majority without termination of the parental rights of
2339 the minor's parents; and

2340 (9) "Permanent guardian" means a person who has the authority and

2341 obligations of a permanent guardianship, as defined in subdivision (8)
2342 of this section.

2343 Sec. 106. Section 45a-707 of the general statutes is repealed and the
2344 following is substituted in lieu thereof (*Effective January 1, 2022*):

2345 As used in sections 45a-187, 45a-706 to 45a-709, inclusive, 45a-715 to
2346 45a-718, inclusive, and 45a-724 to 45a-737, inclusive:

2347 (1) "Adoption" means the establishment by court order of the legal
2348 relationship of parent and child;

2349 (2) "Child care facility" means a congregate residential setting for the
2350 out-of-home placement of children or youths under eighteen years of
2351 age, licensed by the Department of Children and Families;

2352 (3) "Child-placing agency" means any agency within or without the
2353 state of Connecticut licensed or approved by the Commissioner of
2354 Children and Families in accordance with sections 17a-149 and 17a-151,
2355 and in accordance with standards established by regulations of the
2356 Commissioner of Children and Families;

2357 (4) "Guardianship" means guardianship, unless otherwise specified,
2358 of the person of a minor and refers to the obligation of care and control,
2359 the right to custody and the duty and authority to make major decisions
2360 affecting the minor's welfare, including, but not limited to, consent
2361 determinations regarding marriage, enlistment in the armed forces and
2362 major medical, psychiatric or surgical treatment;

2363 (5) "Parent" [means a biological or adoptive parent] has the same
2364 meaning as provided in section 2 of this act;

2365 (6) "Relative" means any person descended from a common ancestor,
2366 whether by blood or adoption, not more than three generations
2367 removed from the child;

2368 (7) "Statutory parent" means the Commissioner of Children and

2369 Families or the child-placing agency appointed by the court for the
2370 purpose of the adoption of a minor child or minor children;

2371 (8) "Termination of parental rights" means the complete severance by
2372 court order of the legal relationship, with all its rights and
2373 responsibilities, between the child and the child's parent or parents so
2374 that the child is free for adoption except it shall not affect the right of
2375 inheritance of the child or the religious affiliation of the child.

2376 Sec. 107. Section 45a-716 of the general statutes is repealed and the
2377 following is substituted in lieu thereof (*Effective January 1, 2022*):

2378 (a) Upon receipt of a petition for termination of parental rights, the
2379 Probate Court, or the Superior Court on a case transferred to it from the
2380 Probate Court in accordance with the provisions of subsection (g) of
2381 section 45a-715, shall set a time and place for hearing the petition. The
2382 time for hearing shall be not more than thirty days after the filing of the
2383 petition, except, in the case of a petition for termination of parental
2384 rights based on consent that is filed on or after October 1, 2004, the time
2385 for hearing shall be not more than twenty days after the filing of such
2386 petition.

2387 (b) The court shall cause notice of the hearing to be given to the
2388 following persons, as applicable: (1) The minor child, if age twelve or
2389 older; (2) the parent or parents of the minor child, including any parent
2390 who has been removed as guardian; (3) the [father] alleged genetic
2391 parent of any minor child born [out of wedlock] to parents not married
2392 to each other, provided at the time of the filing of the petition (A) [he]
2393 the alleged genetic parent has been adjudicated the [father] parent of
2394 such child by a court of competent jurisdiction, (B) [he] the alleged
2395 genetic parent has acknowledged in writing that [he] the alleged genetic
2396 parent is the [father] parent of such child, (C) [he] the alleged genetic
2397 parent has contributed regularly to the support of such child, (D) [his]
2398 the name of the alleged genetic parent appears on the birth certificate,
2399 (E) [he] the alleged genetic parent has filed a claim for [paternity]

2400 parentage as provided under section 46b-172a, as amended by this act,
2401 or (F) [he] the alleged genetic parent has been named in the petition as
2402 the [father] parent of the child by the [mother] parent who gave birth;
2403 (4) the guardian or any other person whom the court deems appropriate;
2404 (5) the Commissioner of Children and Families; and (6) the Attorney
2405 General. The Attorney General may file an appearance and shall be and
2406 remain a party to the action if the child is receiving or has received aid
2407 or care from the state, or if the child is receiving child support
2408 enforcement services, as defined in subdivision (2) of subsection (b) of
2409 section 46b-231, as amended by this act. If the recipient of the notice is a
2410 person described in subdivision (2) or (3) of this subsection or is any
2411 other person whose parental rights are sought to be terminated in the
2412 petition, the notice shall contain a statement that the respondent has the
2413 right to be represented by counsel and that if the respondent is unable
2414 to pay for counsel, counsel will be appointed for the respondent. The
2415 reasonable compensation for such counsel shall be established by, and
2416 paid from funds appropriated to, the Judicial Department, except that
2417 in the case of a Probate Court matter, if funds have not been included in
2418 the budget of the Judicial Department for such purposes, such
2419 compensation shall be established by the Probate Court Administrator
2420 and paid from the Probate Court Administration Fund.

2421 (c) Except as provided in subsection (d) of this section, notice of the
2422 hearing and a copy of the petition, certified by the petitioner, the
2423 petitioner's agent or attorney, or the clerk of the court, shall be served
2424 not less than ten days before the date of the hearing by personal service
2425 or service at the person's usual place of abode on the persons
2426 enumerated in subsection (b) of this section who are within the state,
2427 and by first class mail on the Commissioner of Children and Families
2428 and the Attorney General. If the address of any person entitled to
2429 personal service or service at the person's usual place of abode is
2430 unknown, or if personal service or service at the person's usual place of
2431 abode cannot be reasonably effected within the state, or if any person
2432 enumerated in subsection (b) of this section is out of the state, a judge or

2433 the clerk of the court shall order notice to be given by registered or
2434 certified mail, return receipt requested, or by publication not less than
2435 ten days before the date of the hearing. Any such publication shall be in
2436 a newspaper of general circulation in the place of the last-known
2437 address of the person to be notified, whether within or without this
2438 state, or, if no such address is known, in the place where the petition has
2439 been filed.

2440 (d) In any proceeding pending in the Probate Court, in lieu of
2441 personal service on, or at the usual place of abode of, [a parent or the
2442 father of a child born out of wedlock] an alleged genetic parent of a child
2443 born to parents not married to each other who is either a petitioner or
2444 who signs under penalty of false statement a written waiver of personal
2445 service on a form provided by the Probate Court Administrator, the
2446 court may order notice to be given by first class mail not less than ten
2447 days before the date of the hearing. If such delivery cannot reasonably
2448 be effected, or if the whereabouts of the parents is unknown, notice shall
2449 be ordered to be given by publication as provided in subsection (c) of
2450 this section.

2451 Sec. 108. Subsection (c) of section 45a-717 of the general statutes is
2452 repealed and the following is substituted in lieu thereof (*Effective January*
2453 *1, 2022*):

2454 (c) The court shall, if a claim for [paternity] parentage has been filed
2455 by an alleged genetic parent in accordance with section 46b-172a, as
2456 amended by this act, continue the hearing under the provisions of this
2457 section until the claim for [paternity] parentage is adjudicated, provided
2458 the court may combine the hearing on the claim for [paternity]
2459 parentage with the hearing on the termination of parental rights
2460 petition.

2461 Sec. 109. Section 46b-1 of the general statutes is repealed and the
2462 following is substituted in lieu thereof (*Effective January 1, 2022*):

2463 Matters within the jurisdiction of the Superior Court deemed to be

2464 family relations matters shall be matters affecting or involving: (1)
2465 Dissolution of marriage, contested and uncontested, except dissolution
2466 upon conviction of crime as provided in section 46b-47; (2) legal
2467 separation; (3) annulment of marriage; (4) alimony, support, custody
2468 and change of name incident to dissolution of marriage, legal separation
2469 and annulment; (5) actions brought under section 46b-15; (6) complaints
2470 for change of name; (7) civil support obligations; (8) habeas corpus and
2471 other proceedings to determine the custody and visitation of children;
2472 (9) habeas corpus brought by or on behalf of any mentally ill person
2473 except a person charged with a criminal offense; (10) appointment of a
2474 commission to inquire whether a person is wrongfully confined as
2475 provided by section 17a-523; (11) juvenile matters as provided in section
2476 46b-121, as amended by this act; (12) all rights and remedies provided
2477 for in chapter 815j; (13) the establishing of [paternity] parentage; (14)
2478 appeals from probate concerning: (A) Adoption or termination of
2479 parental rights; (B) appointment and removal of guardians; (C) custody
2480 of a minor child; (D) appointment and removal of conservators; (E)
2481 orders for custody of any child; and (F) orders of commitment of persons
2482 to public and private institutions and to other appropriate facilities as
2483 provided by statute; (15) actions related to prenuptial and separation
2484 agreements and to matrimonial and civil union decrees of a foreign
2485 jurisdiction; (16) dissolution, legal separation or annulment of a civil
2486 union performed in a foreign jurisdiction; (17) custody proceedings
2487 brought under the provisions of chapter 815p; and (18) all such other
2488 matters within the jurisdiction of the Superior Court concerning
2489 children or family relations as may be determined by the judges of said
2490 court.

2491 Sec. 110. Subsection (b) of section 46b-6a of the general statutes is
2492 repealed and the following is substituted in lieu thereof (*Effective January*
2493 *1, 2022*):

2494 (b) In a family relations matter, as defined in section 46b-1, as
2495 amended by this act, if a court orders that a child undergo treatment
2496 from a qualified, licensed health care provider, the court shall permit the

2497 parent or legal guardian of such child to select a qualified, licensed
2498 health care provider to provide such treatment. Except in a case where
2499 [one of the parents] a parent has been awarded sole custody, if [both]
2500 the parents do not agree on the selection of a qualified, licensed health
2501 care provider to provide such treatment to a child, the court shall
2502 continue the matter for two weeks to allow the parents an opportunity
2503 to jointly select a qualified, licensed health care provider. If after the
2504 two-week period, the parents have not reached an agreement on the
2505 selection of a qualified, licensed health care provider, the court shall
2506 select such provider after giving due consideration to the health
2507 insurance coverage and financial resources available to such parents.

2508 Sec. 111. Section 46b-45a of the general statutes is repealed and the
2509 following is substituted in lieu thereof (*Effective January 1, 2022*):

2510 (a) If, during the pendency of a dissolution or annulment of marriage,
2511 [the wife] a spouse is pregnant, [she] such spouse may so allege in the
2512 pleadings. The parties may in their pleadings allege and answer that the
2513 child born of the pregnancy will or will not be [issue] a child of the
2514 marriage.

2515 (b) If the parties to a dissolution or annulment of marriage disagree
2516 as to [whether or not the husband is the father of] the parentage of the
2517 spouse who did not give birth to the child born of the pregnancy, the
2518 court shall hold a hearing within a reasonable period after the birth of
2519 the child to determine [paternity] parentage.

2520 Sec. 112. Section 46b-55 of the general statutes is repealed and the
2521 following is substituted in lieu thereof (*Effective January 1, 2022*):

2522 [(a)] The Attorney General shall be and remain a party to any action
2523 for dissolution of marriage, legal separation or annulment, and to any
2524 proceedings after judgment in such action, if any party to the action, or
2525 any child of any party, is receiving or has received aid or care from the
2526 state. The Attorney General may also be a party to such action for the
2527 purpose of establishing, enforcing or modifying an order for support or

2528 alimony if any party to the action is receiving support enforcement
2529 services pursuant to Title IV-D of the Social Security Act.

2530 [(b) If any child born during a marriage, which is terminated by a
2531 divorce decree or decree of dissolution of marriage, is found not to be
2532 issue of such marriage, the child or his representative may bring an
2533 action in the Superior Court to establish the paternity of the child within
2534 one year after the date of the judgment of divorce or decree of
2535 dissolution of the marriage of his natural mother, notwithstanding the
2536 provisions of section 46b-160.]

2537 Sec. 113. Section 46b-60 of the general statutes is repealed and the
2538 following is substituted in lieu thereof (*Effective January 1, 2022*):

2539 In connection with any petition for annulment under this chapter, the
2540 Superior Court may make such order regarding any child of the
2541 marriage and concerning alimony as it might make in an action for
2542 dissolution of marriage. The issue of any void or voidable marriage shall
2543 be deemed [legitimate] a child of the marriage. Any child born before,
2544 on or after October 1, 1976, whose birth occurred prior to the marriage
2545 of his parents shall be deemed a child of the marriage.

2546 Sec. 114. Section 46b-61 of the general statutes is repealed and the
2547 following is substituted in lieu thereof (*Effective January 1, 2022*):

2548 (a) In all cases in which the parents of a minor child live separately,
2549 the superior court for the judicial district where [either] any parent
2550 resides may, on the application of [either] any parent and after notice is
2551 given to the other parent or parents, make any order as to the custody,
2552 care, education, visitation and support of any minor child of the parents,
2553 subject to the provisions of sections 46b-54, 46b-56, 46b-57 and 46b-66.
2554 Proceedings to obtain such orders shall be commenced by service of an
2555 application, a summons and an order to show cause. An applicant shall
2556 file the accompanying documents with the court not later than the first
2557 date for which the matter appears on the docket.

2558 (b) As used in this section, "accompanying documents" means
2559 documents that establish an existing legal relationship between the
2560 parents and the child for whom an application for custody, care,
2561 education, visitation and support is made under this section.
2562 "Accompanying documents" include, but are not limited to, a copy of a
2563 birth certificate naming the applicant and the respondent as the parents
2564 of the child, a copy of a properly executed acknowledgment of
2565 [paternity] parentage, a court order or decree naming the legally
2566 responsible parents, including adoptive parents, a [gestational]
2567 surrogacy agreement as defined in section 7-36, as amended by this act,
2568 documents showing that the minor child was born during the parents'
2569 wedlock or other sufficient evidence within the discretion of the court.

2570 Sec. 115. Subsections (a) and (b) of section 46b-62 of the general
2571 statutes are repealed and the following is substituted in lieu thereof
2572 (*Effective January 1, 2022*):

2573 (a) In any proceeding seeking relief under the provisions of this
2574 chapter and sections 17b-743, 17b-744, [45a-257,] 45a-257b, as amended
2575 by this act, 46b-1, as amended by this act, 46b-6, 46b-301 to 46b-425,
2576 inclusive, 47-14g, 51-348a and 52-362, the court may order either spouse
2577 or, if such proceeding concerns the custody, care, education, visitation
2578 or support of a minor child, [either] any parent to pay the reasonable
2579 attorney's fees of the other in accordance with their respective financial
2580 abilities and the criteria set forth in section 46b-82. If, in any proceeding
2581 under this chapter and said sections, the court appoints counsel or a
2582 guardian ad litem for a minor child, the court may order [the father,
2583 mother] a parent or an intervening party, individually or in any
2584 combination, to pay the reasonable fees of such counsel or guardian ad
2585 litem or may order the payment of such counsel's or guardian ad litem's
2586 fees in whole or in part from the estate of the child. If the child is
2587 receiving or has received state aid or care, the compensation of such
2588 counsel or guardian ad litem shall be established and paid by the Public
2589 Defender Services Commission.

2590 (b) If, in any proceeding under this chapter and sections 17b-743, 17b-
2591 744, [45a-257,] 45a-257b, as amended by this act, 46b-1, as amended by
2592 this act, 46b-6, 46b-301 to 46b-425, inclusive, 47-14g, 51-348a and 52-362,
2593 the court appoints counsel or a guardian ad litem for a minor child, the
2594 court may not order [the father, mother] a parent or an intervening
2595 party, individually or in any combination, to pay the reasonable fees of
2596 such counsel or guardian ad litem from a college savings account,
2597 including any account established pursuant to any qualified tuition
2598 program, as defined in Section 529(b) of the Internal Revenue Code, that
2599 has been established for the benefit of the minor child. If the court
2600 determines that [the father, mother] a parent or an intervening party
2601 does not have the ability to pay such reasonable fees, the court shall not
2602 order that such reasonable fees be paid by such persons through the use
2603 of a credit card. In addition, any order for the payment of such
2604 reasonable fees shall be limited to income or assets that are not exempt
2605 property under sections 52-352a and 52-352b.

2606 Sec. 116. Subdivision (1) of subsection (b) of section 46b-121 of the
2607 general statutes is repealed and the following is substituted in lieu
2608 thereof (*Effective January 1, 2022*):

2609 (b) (1) In juvenile matters, the Superior Court shall have authority to
2610 make and enforce such orders directed to parents, including any person
2611 who acknowledges before the court [paternity] parentage of a child born
2612 [out of wedlock] to parents not married to each other, guardians,
2613 custodians or other adult persons owing some legal duty to a child
2614 therein, as the court deems necessary or appropriate to secure the
2615 welfare, protection, proper care and suitable support of a child subject
2616 to the court's jurisdiction or otherwise committed to or in the custody of
2617 the Commissioner of Children and Families. The Superior Court may
2618 order a local or regional board of education to provide to the court
2619 educational records of a child for the purpose of determining the need
2620 for services or placement of the child. In proceedings concerning a child
2621 charged with a delinquent act or with being from a family with service
2622 needs, records produced subject to such an order shall be maintained

2623 under seal by the court and shall be released only after a hearing or with
2624 the consent of the child. Educational records obtained pursuant to this
2625 section shall be used only for dispositional purposes. In addition, with
2626 respect to proceedings concerning delinquent children, the Superior
2627 Court shall have authority to make and enforce such orders as the court
2628 deems necessary or appropriate to provide individualized supervision,
2629 care, accountability and treatment to such child in a manner consistent
2630 with public safety, deter the child from the commission of further
2631 delinquent acts, ensure that the child is responsive to the court process,
2632 ensure that the safety of any other person will not be endangered and
2633 provide restitution to any victim. The Superior Court shall also have
2634 authority to grant and enforce temporary and permanent injunctive
2635 relief in all proceedings concerning juvenile matters.

2636 Sec. 117. Subsection (c) of section 46b-129 of the general statutes is
2637 repealed and the following is substituted in lieu thereof (*Effective January*
2638 *1, 2022*):

2639 (c) The preliminary hearing on the order of temporary custody or
2640 order to appear or the first hearing on a petition filed pursuant to
2641 subsection (a) of this section shall be held in order for the court to:

2642 (1) Advise the parent or guardian of the allegations contained in all
2643 petitions and applications that are the subject of the hearing and the
2644 parent's or guardian's right to counsel pursuant to subsection (b) of
2645 section 46b-135;

2646 (2) Ensure that an attorney, and where appropriate, a separate
2647 guardian ad litem has been appointed to represent the child or youth in
2648 accordance with subsection (b) of section 51-296a and sections 46b-129a
2649 and 46b-136;

2650 (3) Upon request, appoint an attorney to represent the respondent
2651 when the respondent is unable to afford representation, in accordance
2652 with subsection (b) of section 51-296a;

2653 (4) Advise the parent or guardian of the right to a hearing on the
2654 petitions and applications, to be held not later than ten days after the
2655 date of the preliminary hearing if the hearing is pursuant to an order of
2656 temporary custody or an order to show cause;

2657 (5) Accept a plea regarding the truth of the allegations;

2658 (6) Make any interim orders, including visitation orders, that the
2659 court determines are in the best interests of the child or youth. The court,
2660 after a hearing pursuant to this subsection, shall order specific steps the
2661 commissioner and the parent or guardian shall take for the parent or
2662 guardian to regain or to retain custody of the child or youth;

2663 (7) Take steps to determine the identity of the [father] alleged genetic
2664 parent of the child or youth, including, if necessary, inquiring of the
2665 [mother] birth parent of the child or youth, under oath, as to the identity
2666 and address of any person who might be the [father] genetic parent of
2667 the child or youth and ordering genetic testing, and order service of the
2668 petition and notice of the hearing date, if any, to be made upon [him]
2669 such alleged genetic parent;

2670 (8) If the person named as the [father] alleged genetic parent appears
2671 and admits that [he] such person is the [father, provide him] genetic
2672 parent, provide such person and the [mother] birth parent with the
2673 notices that comply with section 17b-27, as amended by this act, and
2674 provide them with the opportunity to sign [a paternity
2675 acknowledgment and affirmation] an acknowledgment of parentage on
2676 forms that comply with section 17b-27, as amended by this act. Such
2677 documents shall be executed and filed in accordance with chapter 815y
2678 and a copy delivered to the clerk of the superior court for juvenile
2679 matters. The clerk of the superior court for juvenile matters shall send
2680 the original [paternity acknowledgment and affirmation]
2681 acknowledgment of parentage to the Department of Public Health for
2682 filing in the [paternity] parentage registry maintained under section 19a-
2683 42a, as amended by this act, and shall maintain a copy of the [paternity

2684 acknowledgment and affirmation] acknowledgment of parentage in the
2685 court file;

2686 (9) If the person named as [a father] an alleged genetic parent appears
2687 and denies that [he is the father] such person is the genetic parent of the
2688 child or youth, order genetic testing to determine [paternity] parentage
2689 in accordance with [section 46b-168. If the results of the genetic tests
2690 indicate a ninety-nine per cent or greater probability that the person
2691 named as father is the father of the child or youth, such results shall
2692 constitute a rebuttable presumption that the person named as father is
2693 the father of the child or youth, provided the court finds evidence that
2694 sexual intercourse occurred between the mother and the person named
2695 as father during the period of time in which the child was conceived. If
2696 the court finds such rebuttable presumption, the court may issue
2697 judgment adjudicating paternity after providing the father an
2698 opportunity for a hearing] the Connecticut Parentage Act. The clerk of
2699 the court shall send a certified copy of any judgment adjudicating
2700 [paternity] parentage to the Department of Public Health for filing in the
2701 [paternity] parentage registry maintained under section 19a-42a, as
2702 amended by this act. If the results of the genetic tests indicate that the
2703 person named as [father] the alleged genetic parent is not the [biological
2704 father] genetic parent of the child or youth, the court shall enter a
2705 judgment that [he] such person is not the [father] genetic parent and the
2706 court shall remove [him] such person from the case and afford [him]
2707 such person no further standing in the case or in any subsequent
2708 proceeding regarding the child or youth;

2709 (10) Identify any person or persons related to the child or youth by
2710 blood, [or] marriage or law residing in this state who might serve as
2711 licensed foster parents or temporary custodians and order the
2712 Commissioner of Children and Families to investigate and report to the
2713 court, not later than thirty days after the preliminary hearing, the
2714 appropriateness of placing the child or youth with such relative or
2715 relatives; and

2716 (11) In accordance with the provisions of the Interstate Compact on
2717 the Placement of Children pursuant to section 17a-175, identify any
2718 person or persons related to the child or youth by blood, [or] marriage
2719 or law residing out of state who might serve as licensed foster parents
2720 or temporary custodians, and order the Commissioner of Children and
2721 Families to investigate and determine, within a reasonable time, the
2722 appropriateness of placing the child or youth with such relative or
2723 relatives.

2724 Sec. 118. Section 46b-160 of the general statutes is repealed and the
2725 following is substituted in lieu thereof (*Effective January 1, 2022*):

2726 [(a) (1) (A) Proceedings to establish paternity of a child born or
2727 conceived out of lawful wedlock, including one born to, or conceived
2728 by, a married woman but begotten by a man other than her husband,
2729 shall be commenced by the service on the putative father of a verified
2730 petition of the mother or expectant mother. Such petition may be
2731 brought at any time prior to the child's eighteenth birthday, provided
2732 liability for past support shall be limited to the three years next
2733 preceding the date of the filing of any such petition.

2734 (B) In cases involving public assistance recipients, the petition shall
2735 also be served upon the Attorney General who shall be and remain a
2736 party to any paternity proceeding and to any proceedings after
2737 judgment in such action.

2738 (2) The verified petition, summons and order shall be filed in the
2739 superior court for the judicial district in which either she or the putative
2740 father resides, except that in IV-D support cases, as defined in
2741 subdivision (13) of subsection (b) of section 46b-231, and in petitions
2742 brought under sections 46b-301 to 46b-425, inclusive, such petition shall
2743 be filed with the clerk for the Family Support Magistrate Division
2744 serving the judicial district where either she or the putative father
2745 resides.]

2746 [(3) (A) The] (a) (1) (A) Except for petitions in uncontested actions

2747 brought pursuant to sections 59, 70 and 74 of this act, when a petition to
2748 adjudicate parentage pursuant to section 37 of this act or sections 40 to
2749 77, inclusive, of this act, is filed, the court, or any judge or family support
2750 magistrate assigned to [said] the court, shall cause a summons, signed
2751 by such judge or magistrate, by the clerk of [said] the court, or by a
2752 commissioner of the Superior Court to be issued, requiring the [putative
2753 father] alleged parent to appear in court at a time and place as
2754 determined by the clerk but not more than ninety days after the issuance
2755 of the summons to show cause why the request for relief in such petition
2756 should not be granted.

2757 (B) A state marshal, proper officer or investigator shall make due
2758 return of process to the court not less than twenty-one days before the
2759 date assigned for hearing. In the case of a child or [expectant mother]
2760 pregnant person being supported wholly or in part by the state, service
2761 of such petition may be made by any investigator employed by the
2762 Department of Social Services and any proper officer authorized by law.

2763 [(4)] (2) If the [putative father] alleged parent fails to appear in court
2764 at such time and place, the court or family support magistrate shall hear
2765 the petitioner and, upon a finding that process was served on the
2766 [putative father] alleged parent, shall enter a default judgment of
2767 [paternity] parentage against such [father] parent and such other orders
2768 as the facts may warrant. [Such] In addition, such court or family
2769 support magistrate may order [continuance of] that such hearing [; and
2770 if such mother or expectant mother continues constant in her accusation,
2771 it shall be evidence that the respondent is the father of such child] be
2772 continued. The court or family support magistrate shall, upon motion
2773 by a party, issue an order for temporary support of the child by the
2774 respondent pending a final judgment of the issue of [paternity]
2775 parentage if such court or magistrate finds that there is clear and
2776 convincing evidence of [paternity] parentage which evidence in cases
2777 involving alleged genetic parents shall include, but not be limited to,
2778 genetic test results [indicating a ninety-nine per cent or greater
2779 probability that such respondent is the father of the child] that meet the

2780 requirements of section 45 of this act.

2781 (b) If the [putative father] alleged parent resides out of or is absent
2782 from the state, notice required for the exercise of jurisdiction over such
2783 [putative father] alleged parent shall be actual notice, and shall be in the
2784 manner prescribed for personal service of process by the law of the place
2785 in which service is made.

2786 (c) In any proceeding to establish [paternity] parentage, the court or
2787 family support magistrate may exercise personal jurisdiction over a
2788 nonresident [putative father] alleged parent if the court or magistrate
2789 finds that the [putative father] alleged parent was personally served in
2790 this state or that the [putative father] alleged parent resided in this state
2791 and while residing in this state (1) paid prenatal expenses for the
2792 [mother] birth parent and support for the child, (2) resided with the
2793 child and held himself or herself out as the [father] parent of the child,
2794 or (3) paid support for the child and held himself or herself out as the
2795 [father] parent of the child, provided the nonresident [putative father]
2796 alleged parent has received actual notice of the pending petition for
2797 [paternity] parentage pursuant to this subsection. [(c) of this section.]

2798 (d) The petition, when served pursuant to subsection (c) of this
2799 section, shall be accompanied by an answer form, a notice to the
2800 [putative father] alleged parent and an application for appointment of
2801 counsel, written in clear and simple language designed for use by pro
2802 se defendants.

2803 (e) (1) The answer form shall require the [putative father] alleged
2804 parent to indicate whether [he] the alleged parent admits or denies that
2805 [he is the father, denies that he is the father] the alleged parent is a parent
2806 or does not know whether [he is the father] the alleged parent is a parent
2807 of the child. Any response to the answer form shall not be deemed to
2808 waive any jurisdictional defense.

2809 (2) The notice to the [putative father shall inform him] alleged parent
2810 shall inform the person that (A) [he] the alleged parent has a right to be

2811 represented by an attorney, and if [he] the alleged parent is indigent, the
2812 court will appoint an attorney for [him] such parent, (B) if [he] the
2813 alleged parent is found to be the [father] parent, [he] the alleged parent
2814 will be required to financially support the child until the child attains
2815 the age of eighteen years, (C) if [he] the alleged parent does not admit
2816 [he is the father] parentage and such person is alleged to be a genetic
2817 parent, the court or family support magistrate may, pursuant to section
2818 44 of this act, order a genetic test to determine [paternity] parentage and
2819 that the cost of such test shall be paid by the state in IV-D support cases,
2820 and in non-IV-D cases shall be paid by the petitioner, except that if [he]
2821 the alleged parent is subsequently adjudicated to be the [father] parent
2822 of the child, [he] such person shall be liable to the state or the petitioner,
2823 as the case may be, for the amount of such cost, and (D) if [he] the alleged
2824 parent fails to return the answer form or fails to appear for a scheduled
2825 genetic test without good cause, a default judgment of parentage shall
2826 be entered.

2827 (3) The application for appointment of counsel shall include a
2828 financial affidavit.

2829 (f) If the court or family support magistrate may exercise personal
2830 jurisdiction over the nonresident [putative father] alleged parent
2831 pursuant to subsection (d) of this section and the answer form is
2832 returned and the [putative father] alleged parent does not admit
2833 [paternity] parentage, in cases in which the alleged parent is an alleged
2834 genetic parent, the court shall order [the mother, the child and the
2835 putative father to submit to] genetic tests pursuant to section 42 of this
2836 act. Such order shall be served upon the [putative father] alleged parent
2837 in the same manner as provided in subsection (c) of this section. [The
2838 genetic test of the putative father, unless he requests otherwise,] Unless
2839 the alleged genetic parent requests otherwise, the genetic test of the
2840 alleged genetic parent shall be made in the state where the [putative
2841 father] alleged genetic parent resides at a location convenient to him or
2842 her. The costs of such test shall be paid by the state in IV-D support
2843 cases, and in non-IV-D cases shall be paid by the petitioner, except that

2844 if the [putative father] alleged genetic parent is subsequently
2845 adjudicated the [father] parent of the child, [he] such person shall be
2846 liable to the state or the petitioner, as the case may be, for the amount of
2847 the costs.

2848 (g) The court or family support magistrate shall enter a default
2849 judgment against a nonresident [putative father] alleged parent if such
2850 [putative father] alleged parent (1) fails to answer or otherwise respond
2851 to the petition, or (2) in cases in which the alleged parent is an alleged
2852 genetic parent, fails to appear for a scheduled genetic test without good
2853 cause, provided a default judgment shall not be entered against a
2854 nonresident [putative father] alleged parent unless (A) there is evidence
2855 that the nonresident [putative father] alleged parent has received actual
2856 notice of the petition pursuant to subsection [(c)] (b) of this section and
2857 (B) there is verification that the process served upon the [putative father]
2858 alleged parent included the answer form, notice to the defendant and an
2859 application for appointment of counsel required by subsection [(e)] (d)
2860 of this section. Upon entry of a default judgment, a copy of the judgment
2861 and a form for a motion to reopen shall be served upon the [father]
2862 adjudicated parent in the same manner as provided in subsection [(c)]
2863 (b) of this section.

2864 Sec. 119. Section 46b-161 of the general statutes is repealed and the
2865 following is substituted in lieu thereof (*Effective January 1, 2022*):

2866 In the case of any such petition brought prior to the birth of the child,
2867 no final trial on the issue of [paternity] the alleged parent's parentage
2868 shall be had, except as to hearing on probable cause, until after the birth
2869 of the child. In such hearing on probable cause the court, on the day on
2870 which the defendant has been summoned to appear, shall determine
2871 whether probable cause exists, and if so, the court shall order the
2872 defendant to become bound to the complainant, with surety to appear
2873 on a date certain for final determination, or further continuance as
2874 circumstances may then require.

2875 Sec. 120. Section 46b-162 of the general statutes is repealed and the
2876 following is substituted in lieu thereof (*Effective January 1, 2022*):

2877 The state or any town interested in the support of a child born [out of
2878 wedlock may, if the mother] to parents not married to each other may,
2879 if the parent who gave birth neglects to bring [such] a petition, institute
2880 such proceedings against the [person accused of begetting the child]
2881 alleged parent, and may take up and pursue any petition commenced
2882 by the [mother] parent who gave birth for the maintenance of the child,
2883 if [she] the parent who gave birth fails to prosecute to final judgment.
2884 [Such] The petition may be made by the Commissioner of Social Services
2885 or the town welfare administrator on information or belief. The [mother]
2886 parent who gave birth of the child may be subpoenaed for testimony on
2887 the hearing of the petition.

2888 Sec. 121. Section 46b-165 of the general statutes is repealed and the
2889 following is substituted in lieu thereof (*Effective January 1, 2022*):

2890 [The mother of any child for whom adjudication of paternity is
2891 sought in paternity proceedings shall not be excused from testifying
2892 because her evidence may tend to disgrace or incriminate her; nor shall
2893 she thereafter] In parentage proceedings concerning a child for whom
2894 parentage is sought, a parent or alleged parent shall not be prosecuted
2895 for any criminal act about which (1) [she] the parent or alleged parent
2896 testifies in connection with such proceedings, or (2) [she] the parent or
2897 alleged parent makes any statement prior to such proceedings with
2898 respect to the issue of [paternity] parentage.

2899 Sec. 122. Section 46b-168 of the general statutes is repealed and the
2900 following is substituted in lieu thereof (*Effective January 1, 2022*):

2901 [(a) In any proceeding in which the question of paternity is at issue
2902 the court or a family support magistrate, on motion of any party, may
2903 order genetic tests which shall mean deoxyribonucleic acid tests, to be
2904 performed by a hospital, accredited laboratory, qualified physician or
2905 other qualified person designated by the court, to determine whether or

2906 not the putative father or husband is the father of the child. The results
2907 of such tests, whether ordered under this section or required by the IV-
2908 D agency under section 46b-168a, shall be admissible in evidence to
2909 either establish definite exclusion of the putative father or husband or
2910 as evidence that he is the father of the child without the need for
2911 foundation testimony or other proof of authenticity or accuracy, unless
2912 objection is made in writing not later than twenty days prior to the
2913 hearing at which such results may be introduced in evidence.

2914 (b) In any proceeding in which the question of paternity is at issue,
2915 the results of such genetic tests, whether ordered under this section or
2916 required by the IV-D agency under section 46b-168a, shall constitute a
2917 rebuttable presumption that the putative father is the father of the child
2918 if the results of such tests indicate a ninety-nine per cent or greater
2919 probability that he is the father of the child, provided the petitioner has
2920 presented evidence that sexual intercourse occurred between the
2921 mother and the putative father during the period of time in which the
2922 child was conceived.]

2923 [(c)] The costs of [making tests provided by this section] genetic tests
2924 carried out pursuant to the Connecticut Parentage Act shall be
2925 chargeable against the party making the motion for genetic tests,
2926 provided if the court finds that such party is a low-income obligor, as
2927 defined in the child support guidelines established pursuant to section
2928 46b-215a, or is otherwise indigent and unable to pay such costs, such
2929 costs shall be paid by the state.

2930 Sec. 123. Section 46b-168a of the general statutes is repealed and the
2931 following is substituted in lieu thereof (*Effective January 1, 2022*):

2932 (a) In any IV-D support case, as defined in subdivision (13) of
2933 subsection (b) of section 46b-231, in which the [paternity] parentage of a
2934 child is at issue, or in any case in which a support enforcement agency
2935 is providing services to a petitioner in a proceeding under sections 46b-
2936 301 to 46b-425, inclusive, in which the [paternity] parentage of a child is

2937 at issue, the IV-D agency or the support enforcement agency shall
2938 require the child and all other parties other than individuals who have
2939 good cause for refusing to cooperate or who are subject to other
2940 exceptions to submit to genetic tests [which shall mean
2941 deoxyribonucleic acid tests, to be performed by a hospital, accredited
2942 laboratory, qualified physician or other qualified person designated by
2943 such agency] in accordance with sections 40 to 50, inclusive, of this act,
2944 to determine whether or not the [putative father or husband is the father
2945 of the child] alleged genetic parent is the genetic parent of the child,
2946 upon the request of any such party, provided such request is supported
2947 by a sworn statement by the party which either (1) alleges [paternity]
2948 parentage and sets forth facts establishing a reasonable possibility of the
2949 requisite sexual contact between the parties, or (2) denies [paternity]
2950 parentage and sets forth facts establishing a reasonable possibility of the
2951 nonexistence of sexual contact between the parties.

2952 (b) The costs of making the tests provided by this section shall be paid
2953 by the state, except that if the [putative father] alleged genetic parent is
2954 the requesting party and [he] subsequently acknowledges [paternity]
2955 parentage or is adjudicated to be the [father] parent of the child, [he]
2956 such person shall be liable to the state for the amount of such costs
2957 unless [he] such person is found to be (1) a low-income obligor, as
2958 defined in the child support guidelines established pursuant to section
2959 46b-215a, or (2) otherwise indigent and unable to pay such costs. Any
2960 court or family support magistrate may order a [father] person who is
2961 found liable for genetic testing costs under this subsection to reimburse
2962 the state for the amount of such costs. The contesting party shall make
2963 advance payment for any additional testing required in the event of a
2964 contest of the original test results.

2965 (c) The Commissioner of Social Services shall adopt regulations, in
2966 accordance with the provisions of chapter 54, to establish criteria for
2967 determining (1) good cause or other exceptions for refusing to cooperate
2968 under subsection (a) of this section, which shall include, but not be
2969 limited to, domestic violence, sexual abuse and lack of information and

2970 shall take into account the best interests of the child, and (2) the
2971 sufficiency of the facts establishing a reasonable possibility of the
2972 existence or nonexistence of the requisite sexual contact between the
2973 parties, as required under subsection (a) of this section.

2974 Sec. 124. Section 46b-169 of the general statutes is repealed and the
2975 following is substituted in lieu thereof (*Effective January 1, 2022*):

2976 (a) If the [mother] birth parent of any child born [out of wedlock, or
2977 the mother of any child born to any married woman during marriage
2978 which child shall be found not to be issue of the marriage terminated by
2979 a decree of divorce or dissolution or by decree of any court of competent
2980 jurisdiction] to parents unmarried to each other, fails or refuses to
2981 disclose the name of the [putative father] alleged genetic parent of such
2982 child under oath to the Commissioner of Social Services, if such child is
2983 a recipient of public assistance, or otherwise to a guardian or a guardian
2984 ad litem of such child, such [mother] birth parent may be cited to appear
2985 before any judge of the Superior Court and compelled to disclose the
2986 name of the [putative father] alleged genetic parent under oath and to
2987 institute an action to establish the [paternity of said] parentage of such
2988 child. The criteria adopted by the Commissioner of Social Services
2989 pursuant to subsection (c) of section 46b-168a, as amended by this act,
2990 shall apply to establish good cause or other exceptions for refusing to
2991 cooperate with the provisions of this subsection.

2992 (b) Any [woman] birth parent who, having been cited to appear
2993 before a judge of the Superior Court pursuant to subsection (a) of this
2994 section, fails to appear or fails to disclose or fails to [prosecute a
2995 paternity] proceed with a parentage action may be found to be in
2996 contempt of court and may be fined not more than two hundred dollars
2997 or imprisoned not more than one year, or both.

2998 Sec. 125. Section 46b-170 of the general statutes is repealed and the
2999 following is substituted in lieu thereof (*Effective January 1, 2022*):

3000 No petition under section 46b-160, as amended by this act, shall be

3001 withdrawn except upon approval of a judge or in IV-D support cases as
3002 defined in subsection (b) of section 46b-231, as amended by this act and
3003 petitions brought under sections 46b-301 to 46b-425, inclusive, the
3004 family support magistrate assigned to the judicial district in which the
3005 petition was brought. Any agreement of settlement, before or after a
3006 petition has been brought, other than an agreement made under the
3007 provisions of section 46b-172, as amended by this act, between the
3008 [mother and putative father] parent who gave birth and an alleged
3009 parent shall take effect only upon approval of the terms thereof by a
3010 judge of the Superior Court, or family support magistrate assigned to
3011 the judicial district in which the [mother or the putative father] parent
3012 who gave birth or the alleged parent resides and, in the case of children
3013 supported by the state or the town, on the approval of the Commissioner
3014 of Social Services or the Attorney General. When so approved, such
3015 agreements shall be binding upon all persons executing them, whether
3016 such person is a minor or an adult.

3017 Sec. 126. Subsections (a) and (b) of section 46b-171 of the general
3018 statutes are repealed and the following is substituted in lieu thereof
3019 (*Effective January 1, 2022*):

3020 (a) (1) (A) If the defendant is found to be the [father] parent of the
3021 child, the court or family support magistrate shall order the defendant
3022 to stand charged with the support and maintenance of such child, with
3023 the assistance of [the mother if such mother] any other parent if such
3024 parent is financially able, as the court or family support magistrate finds,
3025 in accordance with the provisions of subsection (b) of section 17b-179,
3026 or section 17a-90, 17b-81, 17b-223, 17b-745, 46b-129, as amended by this
3027 act, 46b-130 or 46b-215, as amended by this act, to be reasonably
3028 commensurate with the financial ability of the defendant, and to pay a
3029 certain sum periodically until the child attains the age of eighteen years
3030 or as otherwise provided in this subsection. If such child is unmarried
3031 and a full-time high school student, such support shall continue
3032 according to the parents' respective abilities, if such child is in need of
3033 support, until such child completes the twelfth grade or attains the age

3034 of nineteen, whichever occurs first.

3035 (B) The court or family support magistrate shall order the defendant
3036 to pay such sum to the complainant, or, if a town or the state has paid
3037 such expense, to the town or the state, as the case may be, and shall grant
3038 execution for the same and costs of suit taxed as in other civil actions,
3039 together with a reasonable attorney's fee, and may require the defendant
3040 to become bound with sufficient surety to perform such orders for
3041 support and maintenance. In IV-D support cases, the IV-D agency or a
3042 support enforcement agency under cooperative agreement with the IV-
3043 D agency may, upon notice to the obligor and obligee, redirect payments
3044 for the support of any child receiving child support enforcement
3045 services either to the state of Connecticut or to the present custodial
3046 party, as their interests may appear, provided neither the obligor nor the
3047 obligee objects in writing within ten business days from the mailing date
3048 of such notice. Any such notice shall be sent by first class mail to the
3049 most recent address of such obligor and obligee, as recorded in the state
3050 case registry pursuant to section 46b-218, as amended by this act, and a
3051 copy of such notice shall be filed with the court or family support
3052 magistrate if both the obligor and obligee fail to object to the redirected
3053 payments within ten business days from the mailing date of such notice.
3054 All payments made shall be distributed as required by Title IV-D of the
3055 Social Security Act.

3056 (2) In addition, the court or family support magistrate shall include
3057 in each support order in a IV-D support case a provision for the health
3058 care coverage of the child. Such provision may include an order for
3059 either parent or both parents to provide such coverage under any or all
3060 of subparagraphs (A), (B) or (C) of this subdivision.

3061 (A) The provision for health care coverage may include an order for
3062 either parent to name any child as a beneficiary of any medical or dental
3063 insurance or benefit plan carried by such parent or available to such
3064 parent at a reasonable cost as described in subparagraph (D) of this
3065 subdivision. If such order requires the parent to maintain insurance

3066 available through an employer, the order shall be enforced using a
3067 National Medical Support Notice as provided in section 46b-88.

3068 (B) The provision for health care coverage may include an order for
3069 either parent to: (i) Apply for and maintain coverage on behalf of the
3070 child under the HUSKY Plan, Part B; or (ii) provide cash medical
3071 support, as described in subparagraphs (E) and (F) of this subdivision.
3072 An order under this subparagraph shall be made only if the cost to the
3073 parent obligated to maintain coverage under the HUSKY Plan, Part B,
3074 or provide cash medical support is reasonable, as described in
3075 subparagraph (D) of this subdivision. An order under clause (i) of this
3076 subparagraph shall be made only if insurance coverage as described in
3077 subparagraph (A) of this subdivision is unavailable at reasonable cost to
3078 either parent, or inaccessible to the child.

3079 (C) An order for payment of the child's medical and dental expenses,
3080 other than those described in clause (ii) of subparagraph (E) of this
3081 subdivision, that are not covered by insurance or reimbursed in any
3082 other manner shall be entered in accordance with the child support
3083 guidelines established pursuant to section 46b-215a.

3084 (D) Health care coverage shall be deemed reasonable in cost if: (i) The
3085 parent obligated to maintain such coverage would qualify as a low-
3086 income obligor under the child support guidelines established pursuant
3087 to section 46b-215a, based solely on such parent's income, and the cost
3088 does not exceed five per cent of such parent's net income; or (ii) the
3089 parent obligated to maintain such coverage would not qualify as a low-
3090 income obligor under such guidelines and the cost does not exceed
3091 seven and one-half per cent of such parent's net income. In either case,
3092 net income shall be determined in accordance with the child support
3093 guidelines established pursuant to section 46b-215a. If a parent
3094 obligated to maintain insurance must obtain coverage for himself or
3095 herself to comply with the order to provide coverage for the child,
3096 reasonable cost shall be determined based on the combined cost of
3097 coverage for such parent and such child.

3098 (E) Cash medical support means (i) an amount ordered to be paid
3099 toward the cost of premiums for health insurance coverage provided by
3100 a public entity, including the HUSKY Plan, Part A or Part B, except as
3101 provided in subparagraph (F) of this subdivision, or by another parent
3102 through employment or otherwise, or (ii) an amount ordered to be paid,
3103 either directly to a medical provider or to the person obligated to pay
3104 such provider, toward any ongoing extraordinary medical and dental
3105 expenses of the child that are not covered by insurance or reimbursed in
3106 any other manner, provided such expenses are documented and
3107 identified specifically on the record. Cash medical support, as described
3108 in clauses (i) and (ii) of this subparagraph, may be ordered in lieu of an
3109 order under subparagraph (A) of this subdivision to be effective until
3110 such time as health insurance that is accessible to the child and
3111 reasonable in cost becomes available, or in addition to an order under
3112 subparagraph (A) of this subdivision, provided the total cost to the
3113 obligated parent of insurance and cash medical support is reasonable,
3114 as described in subparagraph (D) of this subdivision. An order for cash
3115 medical support shall be payable to the state or the custodial party, as
3116 their interests may appear, provided an order under clause (i) of this
3117 subparagraph shall be effective only as long as health insurance
3118 coverage is maintained. Any unreimbursed medical and dental
3119 expenses not covered by an order pursuant to clause (ii) of this
3120 subparagraph are subject to an order for unreimbursed medical and
3121 dental expenses pursuant to subparagraph (C) of this subdivision.

3122 (F) Cash medical support to offset the cost of any insurance payable
3123 under the HUSKY Plan, Part A or Part B, shall not be ordered against a
3124 noncustodial parent who is a low-income obligor, as defined in the child
3125 support guidelines established pursuant to section 46b-215a, or against
3126 a custodial parent of children covered under the HUSKY Plan, Part A or
3127 Part B.

3128 (3) The court or family support magistrate may also make and enforce
3129 orders for the payment by any person named herein of past-due support
3130 for which the defendant is liable in accordance with the provisions of

3131 section 17a-90 or 17b-81, subsection (b) of section 17b-179 or section 17b-
3132 223, 46b-129, as amended by this act, or 46b-130 and, in IV-D cases, order
3133 such person, provided such person is not incapacitated, to participate in
3134 work activities which may include, but shall not be limited to, job search,
3135 training, work experience and participation in the job training and
3136 retraining program established by the Labor Commissioner pursuant to
3137 section 31-3t. The defendant's liability for past-due support under this
3138 subdivision shall be limited to the three years next preceding the filing
3139 of the petition.

3140 (4) If the defendant fails to comply with any order made under this
3141 section, the court or family support magistrate may commit the
3142 defendant to a community correctional center, there to remain until the
3143 defendant complies therewith; but, if it appears that the [mother] parent
3144 receiving support does not apply the periodic allowance paid by the
3145 defendant toward the support of such child, and that such child is
3146 chargeable, or likely to become chargeable, to the town where it belongs,
3147 the court, on application, may discontinue such allowance to the
3148 [mother] parent receiving support, and may direct [it] such allowance
3149 to be paid to the selectmen of such town, for such support, and may
3150 issue execution in their favor for the same. The provisions of section
3151 17b-743 shall apply to this section. The clerk of the court which has
3152 rendered judgment for the payment of money for the maintenance of
3153 any child under the provisions of this section shall, within twenty-four
3154 hours after such judgment has been rendered, notify the selectmen of
3155 the town where the child belongs.

3156 (5) Any support order made under this section may at any time
3157 thereafter be set aside, altered or modified by any court issuing such
3158 order upon a showing of a substantial change in the circumstances of
3159 the defendant or [the mother] another parent of such child or upon a
3160 showing that such order substantially deviates from the child support
3161 guidelines established pursuant to section 46b-215a, unless there was a
3162 specific finding on the record that the application of the guidelines
3163 would be inequitable or inappropriate. There shall be a rebuttable

3164 presumption that any deviation of less than fifteen per cent from the
3165 child support guidelines is not substantial and any deviation of fifteen
3166 per cent or more from the guidelines is substantial. [Modification may
3167 be made of such support order without regard to whether the order was
3168 issued before, on or after May 9, 1991.] No such support orders may be
3169 subject to retroactive modification, except that the court may order
3170 modification with respect to any period during which there is a pending
3171 motion for a modification of an existing support order from the date of
3172 service of the notice of such pending motion upon the opposing party
3173 pursuant to section 52-50.

3174 (6) Failure of the defendant to obey any order for support made under
3175 this section may be punished as for contempt of court and the costs of
3176 commitment of any person imprisoned therefor shall be paid by the
3177 state as in criminal cases.

3178 (b) Whenever the Superior Court or family support magistrate
3179 reopens a judgment of [paternity] parentage entered pursuant to this
3180 section in which a person was found to be the [father] parent of a child
3181 who is or has been supported by the state and the court or family
3182 support magistrate finds that the person adjudicated the [father] parent
3183 is not the [father] parent of the child, the Department of Social Services
3184 shall refund to such person any money paid to the state by such person
3185 during the period such child was supported by the state.

3186 Sec. 127. Section 46b-172 of the general statutes is repealed and the
3187 following is substituted in lieu thereof (*Effective January 1, 2022*):

3188 [(a) (1) In lieu of or in conclusion of proceedings under section 46b-
3189 160, a written acknowledgment of paternity executed and sworn to by
3190 the putative father of the child when accompanied by (A) an attested
3191 waiver of the right to a blood test, the right to a trial and the right to an
3192 attorney, (B) a written affirmation of paternity executed and sworn to
3193 by the mother of the child, and (C) if the person subject to the
3194 acknowledgment of paternity is an adult eighteen years of age or older,

3195 a notarized affidavit affirming consent to the voluntary
3196 acknowledgment of paternity, shall have the same force and effect as a
3197 judgment of the Superior Court. It shall be considered a legal finding of
3198 paternity without requiring or permitting judicial ratification, and shall
3199 be binding on the person executing the same whether such person is an
3200 adult or a minor, subject to subdivision (2) of this subsection. Such
3201 acknowledgment shall not be binding unless, prior to the signing of any
3202 affirmation or acknowledgment of paternity, the mother and the
3203 putative father are given oral and written notice of the alternatives to,
3204 the legal consequences of, and the rights and responsibilities that arise
3205 from signing such affirmation or acknowledgment. The notice to the
3206 mother shall include, but shall not be limited to, notice that the
3207 affirmation of paternity may result in rights of custody and visitation,
3208 as well as a duty of support, in the person named as father. The notice
3209 to the putative father shall include, but not be limited to, notice that such
3210 father has the right to contest paternity, including the right to
3211 appointment of counsel, a genetic test to determine paternity and a trial
3212 by the Superior Court or a family support magistrate and that
3213 acknowledgment of paternity will make such father liable for the
3214 financial support of the child until the child's eighteenth birthday. In
3215 addition, the notice shall inform the mother and the father that DNA
3216 testing may be able to establish paternity with a high degree of accuracy
3217 and may, under certain circumstances, be available at state expense. The
3218 notices shall also explain the right to rescind the acknowledgment, as
3219 set forth in subdivision (2) of this subsection, including the address
3220 where such notice of rescission should be sent, and shall explain that the
3221 acknowledgment cannot be challenged after sixty days, except in court
3222 upon a showing of fraud, duress or material mistake of fact.

3223 (2) The mother and the acknowledged father shall have the right to
3224 rescind such affirmation or acknowledgment in writing within the
3225 earlier of (A) sixty days, or (B) the date of an agreement to support such
3226 child approved in accordance with subsection (b) of this section or an
3227 order of support for such child entered in a proceeding under subsection

3228 (c) of this section. An acknowledgment executed in accordance with
3229 subdivision (1) of this subsection may be challenged in court or before a
3230 family support magistrate after the rescission period only on the basis
3231 of fraud, duress or material mistake of fact which may include evidence
3232 that he is not the father, with the burden of proof upon the challenger.
3233 During the pendency of any such challenge, any responsibilities arising
3234 from such acknowledgment shall continue except for good cause
3235 shown.

3236 (3) All written notices, waivers, affirmations and acknowledgments
3237 required under subdivision (1) of this subsection, and rescissions
3238 authorized under subdivision (2) of this subsection, shall be on forms
3239 prescribed by the Department of Public Health, provided such
3240 acknowledgment form includes the minimum requirements specified
3241 by the Secretary of the United States Department of Health and Human
3242 Services. All acknowledgments and rescissions executed in accordance
3243 with this subsection shall be filed in the paternity registry established
3244 and maintained by the Department of Public Health under section 19a-
3245 42a.

3246 (4) An acknowledgment of paternity signed in any other state
3247 according to its procedures shall be given full faith and credit by this
3248 state.]

3249 [(b)] (a) (1) An agreement to support the child by payment of a
3250 periodic sum until the child attains the age of eighteen years or as
3251 otherwise provided in this subsection, together with provisions for
3252 reimbursement for past-due support based upon ability to pay in
3253 accordance with the provisions of section 17a-90 or 17b-81, subsection
3254 (b) of section 17b-179 or section 17b-223, 46b-129, as amended by this
3255 act, or 46b-130, and reasonable expense of prosecution of the petition,
3256 when filed with and approved by a judge of the Superior Court, or in
3257 IV-D support cases and matters brought under sections 46b-301 to 46b-
3258 425, inclusive, a family support magistrate at any time, shall have the
3259 same force and effect, retroactively or prospectively in accordance with

3260 the terms of the agreement, as an order of support entered by the court,
3261 and shall be enforceable and subject to modification in the same manner
3262 as is provided by law for orders of the court in such cases. If such child
3263 is unmarried and a full-time high school student, such support shall
3264 continue according to the parents' respective abilities to pay, if such
3265 child is in need of support, until such child completes the twelfth grade
3266 or attains the age of nineteen, whichever occurs first.

3267 (2) Past-due support in such cases shall be limited to the three years
3268 next preceding the date of the filing of such agreements to support.

3269 (3) Payments under such agreement shall be made to the petitioner,
3270 except that in IV-D support cases, as defined in subsection (b) of section
3271 46b-231, as amended by this act, payments shall be made to the Office
3272 of Child Support Services or its designated agency and distributed as
3273 required by Title IV-D of the Social Security Act. In IV-D support cases,
3274 the IV-D agency or a support enforcement agency under cooperative
3275 agreement with the IV-D agency may, upon notice to the obligor and
3276 obligee, redirect payments for the support of any child receiving child
3277 support enforcement services either to the state of Connecticut or to the
3278 present custodial party, as their interests may appear, provided neither
3279 the obligor nor the obligee objects in writing within ten business days
3280 from the mailing date of such notice. Any such notice shall be sent by
3281 first class mail to the most recent address of such obligor and obligee, as
3282 recorded in the state case registry pursuant to section 46b-218, as
3283 amended by this act, and a copy of such notice shall be filed with the
3284 court or family support magistrate if both the obligor and obligee fail to
3285 object to the redirected payments within ten business days from the
3286 mailing date of such notice.

3287 (4) Such written agreements to support shall be sworn to, and shall
3288 be binding on the person executing the same whether he is an adult or
3289 a minor.

3290 [(c)] (b) (1) At any time after the signing of any acknowledgment of

3291 [paternity] parentage, upon the application of any interested party, the
3292 court or any judge thereof or any family support magistrate in IV-D
3293 support cases and in matters brought under sections 46b-301 to 46b-425,
3294 inclusive, shall cause a summons, signed by such judge or family
3295 support magistrate, by the clerk of the court or by a commissioner of the
3296 Superior Court, to be issued, requiring the acknowledged [father]
3297 parent to appear in court at a time and place as determined by the clerk
3298 but not more than ninety days after the issuance of the summons, to
3299 show cause why the court or the family support magistrate assigned to
3300 the judicial district in IV-D support cases should not enter judgment for
3301 support of the child by payment of a periodic sum until the child attains
3302 the age of eighteen years or as otherwise provided in this subsection,
3303 together with provision for reimbursement for past-due support based
3304 upon ability to pay in accordance with the provisions of section 17a-90
3305 or 17b-81, subsection (b) of section 17b-179 or section 17b-223, 46b-129,
3306 as amended by this act, or 46b-130, a provision for health coverage of
3307 the child as required by section 46b-215, as amended by this act, and
3308 reasonable expense of the action under this subsection. If such child is
3309 unmarried and a full-time high school student such support shall
3310 continue according to the parents' respective abilities to pay, if such
3311 child is in need of support, until such child completes the twelfth grade
3312 or attains the age of nineteen, whichever occurs first.

3313 (2) Past-due support in such cases shall be limited to the three years
3314 next preceding the filing of a petition pursuant to this section. Such court
3315 or family support magistrate, in IV-D support cases, may also order the
3316 acknowledged [father] parent who is subject to a plan for
3317 reimbursement of past-due support and is not incapacitated to
3318 participate in work activities which may include, but shall not be limited
3319 to, job search, training, work experience and participation in the job
3320 training and retraining program established by the Labor
3321 Commissioner pursuant to section 31-3t.

3322 (3) Proceedings to obtain such orders of support shall be commenced
3323 by the service of such summons on the acknowledged [father] parent. A

3324 state marshal or proper officer shall make due return of process to the
3325 court not less than twenty-one days before the date assigned for hearing.

3326 (4) The prior judgment as to paternity shall be res judicata as to that
3327 issue for all paternity acknowledgments filed with the court on or after
3328 March 1, 1981, but before July 1, 1997, and shall not be reconsidered by
3329 the court unless the person seeking review of the acknowledgment
3330 petitions the superior court for the judicial district having venue for a
3331 hearing on the issue of paternity within three years of such judgment.
3332 In addition to such review, if the acknowledgment of paternity was filed
3333 prior to March 1, 1981, the acknowledgment of paternity may be
3334 reviewed by denying the allegation of paternity in response to the initial
3335 petition for support, whenever it is filed.

3336 (5) All payments under this subsection shall be made to the
3337 petitioner, except that in IV-D support cases, as defined in subsection
3338 (b) of section 46b-231, as amended by this act, payments shall be made
3339 to the state, acting by and through the IV-D agency and distributed as
3340 required by Title IV-D of the Social Security Act. In IV-D support cases,
3341 the IV-D agency or a support enforcement agency under cooperative
3342 agreement with the IV-D agency may, upon notice to the obligor and
3343 obligee, redirect payments for the support of any child receiving child
3344 support enforcement services either to the state of Connecticut or to the
3345 present custodial party, as their interests may appear, provided neither
3346 the obligor nor the obligee objects in writing within ten business days
3347 from the mailing date of such notice. Any such notice shall be sent by
3348 first class mail to the most recent address of such obligor and obligee, as
3349 recorded in the state case registry pursuant to section 46b-218, as
3350 amended by this act, and a copy of such notice shall be filed with the
3351 court or family support magistrate if both the obligor and obligee fail to
3352 object to the redirected payments within ten business days from the
3353 mailing date of such notice.

3354 [(d) Whenever a petition is filed for review of an acknowledgment of
3355 paternity of a child who is or has been supported by the state, and

3356 review of such acknowledgment of paternity is granted by the court
3357 pursuant to subsection (c) of this section, and upon review, the court or
3358 family support magistrate finds that the petitioner is not the father of
3359 the child, the Department of Social Services shall refund to the petitioner
3360 any money paid by the petitioner to the state during any period such
3361 child was supported by the state.]

3362 [(e)] (c) In IV-D support cases, as defined in subdivision (13) of
3363 subsection (b) of section 46b-231, a copy of any support order
3364 established pursuant to this section shall be provided to each party and
3365 the state case registry within fourteen days after issuance of such order
3366 or determination.

3367 Sec. 128. Section 46b-172a of the general statutes is repealed and the
3368 following is substituted in lieu thereof (*Effective January 1, 2022*):

3369 (a) Any person claiming to be the [father of a child born out of
3370 wedlock may] alleged genetic parent of a child born to an unmarried
3371 birth parent and for whom parentage of the nonbirth parent has not yet
3372 been established shall file a claim for [paternity] parentage with the
3373 Probate Court for the district in which either the [mother] birth parent
3374 or the child resides, on forms provided by such court. The claim may be
3375 filed at any time during the life of the child, whether before, on or after
3376 the date the child reaches the age of eighteen, or after the death of the
3377 child, but not later than sixty days after the date of notice under section
3378 45a-716, as amended by this act. The claim shall contain the claimant's
3379 name and address, the name and last-known address of the [mother]
3380 birth parent and the month and year of the birth or expected birth of the
3381 child. Not later than five days after the filing of a claim for [paternity]
3382 parentage, the court shall cause a certified copy of such claim to be
3383 served upon the [mother or prospective mother] birth parent of such
3384 child by personal service or service at [her] the birth parent's usual place
3385 of abode, and to the Attorney General by first class mail. The Attorney
3386 General may file an appearance and shall be and remain a party to the
3387 action if the child is receiving or has received aid or care from the state,

3388 or if the child is receiving child support enforcement services, as defined
3389 in subdivision (2) of subsection (b) of section 46b-231, as amended by
3390 this act. The claim for [paternity] parentage shall be admissible in any
3391 action for [paternity] parentage under section 46b-160, as amended by
3392 this act, and shall estop the claimant from denying [his paternity]
3393 parentage of such child and shall contain language that [he] such person
3394 acknowledges liability for contribution to the support and education of
3395 the child after the child's birth and for contribution to the
3396 pregnancy-related medical expenses of the [mother] birth parent.

3397 (b) If a claim for [paternity] parentage is filed by the [father of any
3398 minor child born out of wedlock] alleged genetic parent of any minor
3399 child born to an unmarried birth parent, the Probate Court shall
3400 schedule a hearing on such claim, send notice of the hearing to all parties
3401 involved and proceed accordingly.

3402 (c) The child shall be made a party to the action and shall be
3403 represented by a guardian ad litem appointed by the court in
3404 accordance with section 45a-708. Payment shall be made in accordance
3405 with such section from funds appropriated to the Judicial Department,
3406 except that, if funds have not been included in the budget of the Judicial
3407 Department for such purposes, such payment shall be made from the
3408 Probate Court Administration Fund.

3409 (d) In the event that the [mother or the claimant father] birth parent
3410 or the alleged genetic parent is a minor, the court shall appoint a
3411 guardian ad litem to represent him or her in accordance with the
3412 provisions of section 45a-708. Payment shall be made in accordance with
3413 said section from funds appropriated to the Judicial Department, except
3414 that, if funds have not been included in the budget of the Judicial
3415 Department for such purposes, such payment shall be made from the
3416 Probate Court Administration Fund.

3417 (e) By filing a claim under this section, the [putative father] alleged
3418 genetic parent submits to the jurisdiction of the Probate Court.

3419 (f) Once [alleged] parental rights of the [father] alleged genetic parent
3420 have been adjudicated in [his] such parent's favor under subsection (b)
3421 of this section, or acknowledged as provided for under [section 46b-172,
3422 his] sections 24 to 35, inclusive, of this act, such parent's rights and
3423 responsibilities shall be equivalent to those of the [mother] birth parent,
3424 including those rights defined under section 45a-606. Thereafter,
3425 disputes involving custody, visitation or support shall be transferred to
3426 the Superior Court under chapter 815j, except that the Probate Court
3427 may enter a temporary order for custody, visitation or support until an
3428 order is entered by the Superior Court.

3429 (g) Failing perfection of parental rights as prescribed by this section,
3430 any person claiming to be the [father of a child born out of wedlock]
3431 alleged genetic parent of a child born to an unmarried birth parent (1)
3432 who has not been adjudicated the [father] parent of such child by a court
3433 of competent jurisdiction, or (2) who has not acknowledged in writing
3434 that [he] such person is the [father] parent of such child, or (3) who has
3435 not contributed regularly to the support of such child, or (4) whose name
3436 does not appear on the birth certificate, shall cease to be a legal party in
3437 interest in any proceeding concerning the custody or welfare of the
3438 child, including, but not limited to, guardianship and adoption, unless
3439 [he] such person has shown a reasonable degree of interest, concern or
3440 responsibility for the child's welfare.

3441 (h) Notwithstanding the provisions of this section, after the death of
3442 the [father of a child born out of wedlock] alleged genetic parent of a
3443 child born to an unmarried birth parent, a party deemed by the court to
3444 have a sufficient interest may file a claim for [paternity] parentage on
3445 behalf of such [father] alleged genetic parent with the Probate Court for
3446 the district in which either the [putative father] alleged genetic parent
3447 resided or the party filing the claim resides. If a claim for [paternity]
3448 parentage is filed pursuant to this subsection, the Probate Court shall
3449 schedule a hearing on such claim, send notice of the hearing to all parties
3450 involved and proceed accordingly.

3451 Sec. 129. Section 46b-179 of the general statutes is repealed and the
3452 following is substituted in lieu thereof (*Effective January 1, 2022*):

3453 As used in sections 46b-179a to 46b-179d, inclusive, as amended by
3454 this act, foreign [paternity] parentage judgment means any judgment,
3455 decree or order of a court of any state in the United States, other than a
3456 court of this state, in an action which results in a final determination on
3457 the issue of [paternity] parentage except any such judgment, decree or
3458 order obtained by default in appearance.

3459 Sec. 130. Section 46b-179a of the general statutes is repealed and the
3460 following is substituted in lieu thereof (*Effective January 1, 2022*):

3461 (a) Support Enforcement Services of the Superior Court shall
3462 maintain a registry in the Family Support Magistrate Division of
3463 [paternity] parentage judgments from other states. Any party to an
3464 action in which a [paternity] parentage judgment from another state was
3465 rendered may register the foreign [paternity] parentage judgment in the
3466 registry maintained by Support Enforcement Services without payment
3467 of a filing fee or other cost to the party.

3468 (b) The party shall file a certified copy of the foreign [paternity]
3469 parentage judgment and a certification that such judgment is final and
3470 has not been modified, altered, amended, set aside or vacated and that
3471 the enforcement of such judgment has not been stayed or suspended.
3472 Such certificate shall set forth the full name and last-known address of
3473 the other party to the judgment.

3474 Sec. 131. Section 46b-179b of the general statutes is repealed and the
3475 following is substituted in lieu thereof (*Effective January 1, 2022*):

3476 Such foreign [paternity] parentage judgment, on the filing with the
3477 registry maintained by Support Enforcement Services, shall become a
3478 judgment of the Family Support Magistrate Division of the Superior
3479 Court and shall be enforced and otherwise treated in the same manner
3480 as a judgment of the Family Support Magistrate Division. A foreign

3481 [paternity] parentage judgment so filed shall have the same effect and
3482 may be enforced in the same manner as any like judgment of a family
3483 support magistrate of this state, provided no such judgment shall be
3484 enforced for a period of twenty days after the filing thereof.

3485 Sec. 132. Section 46b-179c of the general statutes is repealed and the
3486 following is substituted in lieu thereof (*Effective January 1, 2022*):

3487 Within five days of the filing of the judgment and certification in
3488 accordance with section 46b-179a, as amended by this act, the party
3489 filing such judgment shall notify the other party to the [paternity]
3490 parentage action of the filing of such judgment by registered mail at his
3491 last-known address or by personal service. The Family Support
3492 Magistrate Division shall not enforce any such foreign [paternity]
3493 parentage judgment until proof of service has been filed with the court.

3494 Sec. 133. Section 46b-179d of the general statutes is repealed and the
3495 following is substituted in lieu thereof (*Effective January 1, 2022*):

3496 If either party files an affidavit with the Family Support Magistrate
3497 Division that an appeal from the foreign [paternity] parentage judgment
3498 is pending in the foreign state, or will be taken, or that a stay of execution
3499 has been granted, the Family Support Magistrate Division will stay
3500 enforcement of the foreign [paternity] parentage judgment until the
3501 appeal is concluded, the time for appeal expires or the stay of execution
3502 expires or is vacated.

3503 Sec. 134. Subdivision (4) of subsection (a) of section 46b-215 of the
3504 general statutes is repealed and the following is substituted in lieu
3505 thereof (*Effective January 1, 2022*):

3506 (4) For purposes of this section, the term "child" shall include one
3507 born [out of wedlock whose father] to parents not married to each other
3508 whose alleged genetic parent has acknowledged in writing [paternity]
3509 parentage of such child or has been adjudged the [father] parent by a
3510 court of competent jurisdiction, or a child who was born before marriage

3511 whose parents afterwards intermarry.

3512 Sec. 135. Subsections (a) and (b) of section 46b-218 of the general
3513 statutes are repealed and the following is substituted in lieu thereof
3514 (*Effective January 1, 2022*):

3515 (a) For purposes of this section:

3516 (1) "Identification and location information" means current
3517 information on the location and identity of a party to any [paternity]
3518 parentage or child support proceeding, including, but not limited to, the
3519 party's Social Security number, residential and mailing addresses,
3520 telephone number, driver's license number, employer's name, address
3521 and telephone number, and such other information as may be required
3522 for the state case registry to comply with federal law and regulations;

3523 (2) ["Paternity or child support proceeding"] "Parentage or child
3524 support proceeding" means any court action or administrative process
3525 authorized by state statute in which the [paternity] parentage or support
3526 of a child is established; and

3527 (3) "State case registry" means the database included in the
3528 automated system established and maintained by the Office of Child
3529 Support Services under subsection (l) of section 17b-179 which database
3530 shall contain information on each support order established or modified
3531 in the state.

3532 (b) Each party to any [paternity] parentage or child support
3533 proceeding shall file identification and location information with the
3534 state case registry upon entry of an order and whenever such
3535 information changes.

3536 Sec. 136. Subdivision (2) of subsection (b) of section 46b-231 of the
3537 general statutes is repealed and the following is substituted in lieu
3538 thereof (*Effective January 1, 2022*):

3539 (2) "Child support enforcement services" means the services provided

3540 by the IV-D agency or an agency under cooperative or purchase of
3541 service agreement therewith pursuant to Title IV-D of the Social Security
3542 Act, including, but not limited to, location; establishment of [paternity]
3543 parentage; establishment, modification and enforcement of child and
3544 medical support orders and the collection and distribution of support
3545 payments;

3546 Sec. 137. Subparagraph (A) of subdivision (2) of subsection (m) of
3547 section 46b-231 of the general statutes is repealed and the following is
3548 substituted in lieu thereof (*Effective January 1, 2022*):

3549 (2) (A) Family support magistrates shall hear and determine matters
3550 involving child and spousal support in IV-D support cases including
3551 petitions for support brought pursuant to sections 17b-81, 17b-179, 17b-
3552 745 and 46b-215, as amended by this act, applications for show cause
3553 orders in IV-D support cases brought pursuant to subsection [(b)] (a) of
3554 section 46b-172, as amended by this act, and actions for interstate
3555 enforcement of child and spousal support and [paternity] parentage
3556 under sections 46b-301 to 46b-425, inclusive, and shall hear and
3557 determine all motions for modifications of child and spousal support in
3558 such cases.

3559 Sec. 138. Subdivision (5) of subsection (m) of section 46b-231 of the
3560 general statutes is repealed and the following is substituted in lieu
3561 thereof (*Effective January 1, 2022*):

3562 (5) [Proceedings to establish paternity in IV-D support cases shall be
3563 filed in the family support magistrate division for the judicial district
3564 where the mother or putative father resides.] Venue for proceedings to
3565 establish parentage in IV-D support cases shall be in accordance with
3566 the provisions of subsection (d) of section 9 of this act. The matter shall
3567 be heard and determined by a family support magistrate in accordance
3568 with the provisions of chapter 815y.

3569 Sec. 139. Subdivision (6) of subsection (m) of section 46b-231 of the
3570 general statutes is repealed and the following is substituted in lieu

3571 thereof (*Effective January 1, 2022*):

3572 (6) Agreements for support obtained in IV-D support cases shall be
3573 filed with the assistant clerk of the family support magistrate division
3574 for the judicial district where [the mother or the father] a parent of the
3575 child resides, pursuant to subsection [(b)] (a) of section 46b-172, as
3576 amended by this act, and shall become effective as an order upon filing
3577 with the clerk. Such support agreements shall be reviewed by a family
3578 support magistrate who shall approve or disapprove the agreement. If
3579 the support agreement filed with the clerk is disapproved by a family
3580 support magistrate, the reason for disapproval shall be stated in the
3581 record and such disapproval shall have a retroactive effect. Upon such
3582 disapproval, the clerk shall schedule a hearing for the purpose of
3583 determining appropriate support amounts and shall notify all
3584 appearing parties of the hearing date.

3585 Sec. 140. Subsection (r) of section 46b-231 of the general statutes is
3586 repealed and the following is substituted in lieu thereof (*Effective January*
3587 *1, 2022*):

3588 (r) Orders for support entered by a family support magistrate shall
3589 have the same force and effect as orders of the Superior Court, except
3590 where otherwise provided in sections 17b-81, 17b-93, 17b-179, 17b-743,
3591 17b-744, 17b-745, and 17b-746, [subsection (a) of section] 46b-55, as
3592 amended by this act, [sections] 46b-59a, 46b-86 and 46b-172, as amended
3593 by this act, this chapter, subsection (b) of section 51-348, section 52-362,
3594 subsection (a) of section 52-362d, subsection (a) of section 52-362e and
3595 subsection (c) of section 53-304, and shall be considered orders of the
3596 Superior Court for the purpose of establishing and enforcing support
3597 orders of the family support magistrate, as provided in sections 17b-81,
3598 17b-93, 17b-179, 17b-745, 52-362, 52-362d, 52-362e and 53-304, as
3599 amended by this act, except as otherwise provided in this section. All
3600 orders for support issued by family support magistrates in any matter
3601 before a magistrate shall contain an order for withholding to enforce
3602 such orders as set forth in section 52-362.

3603 Sec. 141. Subdivision (1) of subsection (u) of section 46b-231 of the
3604 general statutes is repealed and the following is substituted in lieu
3605 thereof (*Effective January 1, 2022*):

3606 (u) (1) The Department of Social Services may in IV-D cases (A) bring
3607 petitions for support orders pursuant to section 46b-215, as amended by
3608 this act, (B) obtain acknowledgments of [paternity] parentage, (C) bring
3609 applications for show cause orders pursuant to section 46b-172, as
3610 amended by this act, (D) file agreements for support with the assistant
3611 clerk of the Family Support Magistrate Division, (E) issue withholding
3612 orders entered by the Superior Court or a family support magistrate in
3613 accordance with subsection (b) of section 52-362, and (F) upon notice to
3614 the obligor and obligee, redirect payments for the support of any child
3615 receiving child support enforcement services either to the state of
3616 Connecticut or to the present custodial party, as their interests may
3617 appear, for distribution in accordance with Title IV-D of the Social
3618 Security Act, provided neither the obligor nor the obligee objects in
3619 writing within ten business days from the mailing date of such notice,
3620 and provided further that any such notice shall be sent by first class mail
3621 to the most recent address of such obligor and obligee, as recorded in
3622 the state case registry pursuant to section 46b-218, as amended by this
3623 act, and a copy of such notice shall be filed with the court or family
3624 support magistrate if both the obligor and obligee fail to object to the
3625 redirected payments within ten business days from the mailing date of
3626 such notice.

3627 Sec. 142. Subsection (a) of section 51-15 of the general statutes is
3628 repealed and the following is substituted in lieu thereof (*Effective January*
3629 *1, 2022*):

3630 (a) In accordance with the provisions of section 51-14, the judges of
3631 the Superior Court shall make such orders and rules as they deem
3632 necessary or advisable concerning the commencement of process and
3633 procedure in flowage petitions, [paternity] parentage proceedings,
3634 replevin, summary process, habeas corpus, mandamus, prohibition, ne

3635 exeat, quo warranto, forcible entry and detainer, peaceable entry and
3636 forcible detainer, for paying rewards, and for the hearing and
3637 determination of small claims, including suitable forms of procedure in
3638 such cases, exclusive of fees.

3639 Sec. 143. Section 52-46a of the general statutes is repealed and the
3640 following is substituted in lieu thereof (*Effective January 1, 2022*):

3641 Process in civil actions returnable to the Supreme Court shall be
3642 returned to its clerk at least twenty days before the return day and, if
3643 returnable to the Superior Court, except process in summary process
3644 actions and petitions for [paternity] parentage and support, to the clerk
3645 of such court at least six days before the return day.

3646 Sec. 144. Subsection (a) of section 52-251d of the general statutes is
3647 repealed and the following is substituted in lieu thereof (*Effective January*
3648 *1, 2022*):

3649 (a) In any civil action to establish [paternity] parentage or to establish,
3650 modify or enforce child support orders in temporary family assistance
3651 cases pursuant to sections 17b-745, 46b-86, 46b-160, as amended by this
3652 act, 46b-171, as amended by this act, 46b-172, as amended by this act,
3653 46b-215, as amended by this act, and 46b-231, as amended by this act,
3654 the court may allow the state, when it is the prevailing party, a
3655 reasonable attorney's fee.

3656 Sec. 145. Subdivision (10) of subsection (a) of section 52-362f of the
3657 general statutes is repealed and the following is substituted in lieu
3658 thereof (*Effective January 1, 2022*):

3659 (10) "Support order" means any order, decree, or judgment for the
3660 support, or for the payment of arrearages on such support, of a child,
3661 spouse, or former spouse issued by a court or agency of another
3662 jurisdiction, whether interlocutory or final, whether or not
3663 prospectively or retroactively modifiable, whether incidental to a
3664 proceeding for divorce, judicial or legal separation, separate

3665 maintenance, parentage or paternity, guardianship, civil protection, or
3666 otherwise.

3667 Sec. 146. Subsection (a) of section 53-304 of the general statutes is
3668 repealed and the following is substituted in lieu thereof (*Effective January*
3669 *1, 2022*):

3670 (a) Any person who neglects or refuses to furnish reasonably
3671 necessary support to the person's spouse, child under the age of
3672 eighteen or parent under the age of sixty-five shall be deemed guilty of
3673 nonsupport and shall be imprisoned not more than one year, unless the
3674 person shows to the court before which the trial is had that, owing to
3675 physical incapacity or other good cause, the person is unable to furnish
3676 such support. The court may suspend the execution of any community
3677 correctional center sentence imposed, upon any terms or conditions that
3678 it deems just, may suspend the execution of the balance of any such
3679 sentence in a like manner, and, in addition to any other sentence or in
3680 lieu thereof, may order that the person convicted shall pay to the
3681 Commissioner of Administrative Services directly or through Support
3682 Enforcement Services of the Superior Court, such support, in such
3683 amount as the court may find commensurate with the necessities of the
3684 case and the ability of such person, for such period as the court shall
3685 determine. Any such order of support may, at any time thereafter, be set
3686 aside or altered by the court for cause shown. Failure of any defendant
3687 to make any payment may be punished as contempt of court and, in
3688 addition thereto or in lieu thereof, the court may order the issuance of a
3689 wage withholding in the same manner as is provided in section 17b-745,
3690 which withholding order shall have the same precedence as is provided
3691 in section 52-362. The amounts withheld under such withholding order
3692 shall be remitted to the Department of Administrative Services by the
3693 person or corporation to whom the withholding order is presented at
3694 such intervals as such withholding order directs. [For the purposes of
3695 this section, "child" includes one born out of wedlock whose father has
3696 acknowledged in writing his paternity of such child or has been
3697 adjudged the father by a court of competent jurisdiction.]

3698 Sec. 147. Section 45a-777 of the general statutes is repealed and the
3699 following is substituted in lieu thereof (*Effective January 1, 2022*):

3700 (a) A child born as a result of [A.I.D.] assisted reproduction, as
3701 defined in section 2 of this act, may inherit the estate of [his mother and
3702 her consenting spouse or their relatives as though he were the natural
3703 child of the mother and consenting spouse and he shall not inherit the
3704 estate from his natural father or his relatives] such child's legal parents
3705 and the relatives of such legal parents.

3706 (b) The [mother and her consenting husband or their relatives] legal
3707 parents and the relatives of such legal parents may inherit the estate of
3708 a child born as a result of [A.I.D.] assisted reproduction, if the child dies
3709 intestate, [, and the natural father or his relatives shall not inherit from
3710 him.]

3711 Sec. 148. Section 45a-779 of the general statutes is repealed and the
3712 following is substituted in lieu thereof (*Effective January 1, 2022*):

3713 Nothing in [sections 45a-771 to 45a-779, inclusive,] section 45a-777, as
3714 amended by this act, or 45a-778 or this section shall be construed as a
3715 change or modification of the rights or status of children born before
3716 October 1, 1975, but shall be construed as a clarification and codification
3717 of the rights and status which the children had on said date.

3718 Sec. 149. Sections 45a-771 to 45a-776, inclusive, 46b-166 and 46b-167
3719 of the general statutes are repealed. (*Effective January 1, 2022*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2022</i>	New section
Sec. 2	<i>January 1, 2022</i>	New section
Sec. 3	<i>January 1, 2022</i>	New section
Sec. 4	<i>January 1, 2022</i>	New section
Sec. 5	<i>January 1, 2022</i>	New section
Sec. 6	<i>January 1, 2022</i>	New section

Sec. 7	<i>January 1, 2022</i>	New section
Sec. 8	<i>January 1, 2022</i>	New section
Sec. 9	<i>January 1, 2022</i>	New section
Sec. 10	<i>January 1, 2022</i>	New section
Sec. 11	<i>January 1, 2022</i>	New section
Sec. 12	<i>January 1, 2022</i>	New section
Sec. 13	<i>January 1, 2022</i>	New section
Sec. 14	<i>January 1, 2022</i>	New section
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Sec. 19	<i>January 1, 2022</i>	New section
Sec. 20	<i>January 1, 2022</i>	New section
Sec. 21	<i>January 1, 2022</i>	New section
Sec. 22	<i>January 1, 2022</i>	New section
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Sec. 25	<i>January 1, 2022</i>	New section
Sec. 26	<i>January 1, 2022</i>	New section
Sec. 27	<i>January 1, 2022</i>	New section
Sec. 28	<i>January 1, 2022</i>	New section
Sec. 29	<i>January 1, 2022</i>	New section
Sec. 30	<i>January 1, 2022</i>	New section
Sec. 31	<i>January 1, 2022</i>	New section
Sec. 32	<i>January 1, 2022</i>	New section
Sec. 33	<i>January 1, 2022</i>	New section
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Sec. 35	<i>January 1, 2022</i>	New section
Sec. 36	<i>January 1, 2022</i>	New section
Sec. 37	<i>January 1, 2022</i>	New section
Sec. 38	<i>January 1, 2022</i>	New section
Sec. 39	<i>January 1, 2022</i>	New section
Sec. 40	<i>January 1, 2022</i>	New section
Sec. 41	<i>January 1, 2022</i>	New section
Sec. 42	<i>January 1, 2022</i>	New section
Sec. 43	<i>January 1, 2022</i>	New section
Sec. 44	<i>January 1, 2022</i>	New section
Sec. 45	<i>January 1, 2022</i>	New section

Sec. 46	January 1, 2022	New section
Sec. 47	January 1, 2022	New section
Sec. 48	January 1, 2022	New section
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Sec. 82	January 1, 2022	New section
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Sec. 84	January 1, 2022	New section

Sec. 85	<i>January 1, 2022</i>	New section
Sec. 86	<i>January 1, 2022</i>	New section
Sec. 87	<i>January 1, 2022</i>	7-36
Sec. 88	<i>January 1, 2022</i>	7-48a
Sec. 89	<i>January 1, 2022</i>	7-50
Sec. 90	<i>January 1, 2022</i>	7-51(a)
Sec. 91	<i>January 1, 2022</i>	7-51a(a)
Sec. 92	<i>January 1, 2022</i>	17a-60(c)
Sec. 93	<i>January 1, 2022</i>	17b-27
Sec. 94	<i>January 1, 2022</i>	17b-137a(a) and (b)
Sec. 95	<i>January 1, 2022</i>	17b-137(a)(2)(A)
Sec. 96	<i>January 1, 2022</i>	19a-42(d) and (e)
Sec. 97	<i>January 1, 2022</i>	19a-42a
Sec. 98	<i>January 1, 2022</i>	45a-8a(a)
Sec. 99	<i>January 1, 2022</i>	45a-106a(b)
Sec. 100	<i>January 1, 2022</i>	45a-257b(a)
Sec. 101	<i>January 1, 2022</i>	45a-262(a)
Sec. 102	<i>January 1, 2022</i>	45a-437(b)
Sec. 103	<i>January 1, 2022</i>	45a-438(b)
Sec. 104	<i>January 1, 2022</i>	45a-438b
Sec. 105	<i>January 1, 2022</i>	45a-604
Sec. 106	<i>January 1, 2022</i>	45a-707
Sec. 107	<i>January 1, 2022</i>	45a-716
Sec. 108	<i>January 1, 2022</i>	45a-717(c)
Sec. 109	<i>January 1, 2022</i>	46b-1
Sec. 110	<i>January 1, 2022</i>	46b-6a(b)
Sec. 111	<i>January 1, 2022</i>	46b-45a
Sec. 112	<i>January 1, 2022</i>	46b-55
Sec. 113	<i>January 1, 2022</i>	46b-60
Sec. 114	<i>January 1, 2022</i>	46b-61
Sec. 115	<i>January 1, 2022</i>	46b-62(a) and (b)
Sec. 116	<i>January 1, 2022</i>	46b-121(b)(1)
Sec. 117	<i>January 1, 2022</i>	46b-129(c)
Sec. 118	<i>January 1, 2022</i>	46b-160
Sec. 119	<i>January 1, 2022</i>	46b-161
Sec. 120	<i>January 1, 2022</i>	46b-162
Sec. 121	<i>January 1, 2022</i>	46b-165
Sec. 122	<i>January 1, 2022</i>	46b-168
Sec. 123	<i>January 1, 2022</i>	46b-168a

Sec. 124	January 1, 2022	46b-169
Sec. 125	January 1, 2022	46b-170
Sec. 126	January 1, 2022	46b-171(a) and (b)
Sec. 127	January 1, 2022	46b-172
Sec. 128	January 1, 2022	46b-172a
Sec. 129	January 1, 2022	46b-179
Sec. 130	January 1, 2022	46b-179a
Sec. 131	January 1, 2022	46b-179b
Sec. 132	January 1, 2022	46b-179c
Sec. 133	January 1, 2022	46b-179d
Sec. 134	January 1, 2022	46b-215(a)(4)
Sec. 135	January 1, 2022	46b-218(a) and (b)
Sec. 136	January 1, 2022	46b-231(b)(2)
Sec. 137	January 1, 2022	46b-231(m)(2)(A)
Sec. 138	January 1, 2022	46b-231(m)(5)
Sec. 139	January 1, 2022	46b-231(m)(6)
Sec. 140	January 1, 2022	46b-231(r)
Sec. 141	January 1, 2022	46b-231(u)(1)
Sec. 142	January 1, 2022	51-15(a)
Sec. 143	January 1, 2022	52-46a
Sec. 144	January 1, 2022	52-251d(a)
Sec. 145	January 1, 2022	52-362f(a)(10)
Sec. 146	January 1, 2022	53-304(a)
Sec. 147	January 1, 2022	45a-777
Sec. 148	January 1, 2022	45a-779
Sec. 149	January 1, 2022	Repealer section

Statement of Purpose:

To adopt and implement the Connecticut Parentage Act.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]