

Park

94 LSO - 0187

# HOUSE BILL

0044

Til HB0044

AN ACT to create W.S. 1-22-117; and to amend W.S. 1-22-108(d), 1-22-109(a) (iv) and 1-22-110(a) (intro) relating to adoption; creating a registry for putative fathers as specified; conforming related statutes for notice of adoption as specified; and providing for an effective date.

HOUSE BILL 0044

Gordon L. Park

Introduced by:

## HOUSE ACTION ON HOUSE BILL

☐ ☐ Introduced  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_

☐ Read First Time and Ref. to Committee No. \_\_\_\_\_

☐ Failed Introduction  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_

☐ Returned from Committee No. \_\_\_\_\_  
with Recommendation:  
☐ Do Pass; ☐ Amend & Do Pass; ☐ Do Not Pass;  
☐ W/O Recomm; ☐ Re-Refer to Committee No. \_\_\_\_\_

☐ Re-referred to Committee No. \_\_\_\_\_

☐ Returned from Committee No. \_\_\_\_\_  
with Recommendation:  
☐ Do Pass; ☐ Amend & Do Pass; ☐ Do Not Pass;  
☐ W/O Recomm; ☐ Re-Refer to Committee No. \_\_\_\_\_

☐ Considered in Comm. of Whole  
☐ Amended  
☐ Recommended Do Pass  
☐ Failed Comm. of Whole  
☐ Indefinitely Postponed  
☐ Other: \_\_\_\_\_

☐ Read Second Time  
☐ Amended  
☐ Do Pass  
☐ Do Not Pass  
☐ Accelerated to 3rd Rdg.

☐ Read Third Time  
☐ Amended  
☐ Passed ☐ Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
☐ Held for Reconsideration  
☐ Motion to Reconsider  
☐ Passed ☐ Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_

☐ Third Reading Vote  
(On Reconsideration)  
☐ Passed ☐ Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_

☐ Sent to Senate (No Amendments)

☐ Sent to LSO for Engrossing

☐ ENGROSSED

☐ Sent to Senate

## SENATE ACTION ON HOUSE BILL

☐ Received. Read First Time.

☐ Referred to Committee No. \_\_\_\_\_

☐ Returned from Committee No. \_\_\_\_\_  
with Recommendation:  
☐ Do Pass; ☐ Amend & Do Pass; ☐ Do Not Pass;  
☐ W/O Recomm; ☐ Re-Refer to Committee No. \_\_\_\_\_

☐ Re-referred to Committee No. \_\_\_\_\_

☐ Returned from Committee No. \_\_\_\_\_  
with Recommendation:  
☐ Do Pass; ☐ Amend & Do Pass; ☐ Do Not Pass;  
☐ W/O Recomm; ☐ Re-Refer to Committee No. \_\_\_\_\_

☐ Considered in Comm. of Whole  
☐ Amended  
☐ Recommended Do Pass  
☐ Failed Comm. of Whole  
☐ Indefinitely Postponed  
☐ Other: \_\_\_\_\_

☐ Read Second Time  
☐ Amended  
☐ Do Pass  
☐ Do Not Pass  
☐ Accelerated to 3rd Rdg.

☐ Read Third Time  
☐ Amended  
☐ Passed ☐ Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
☐ Held for Reconsideration  
☐ Motion to Reconsider  
☐ Passed ☐ Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_

☐ Third Reading Vote  
(On Reconsideration)  
☐ Passed ☐ Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_

☐ Sent to House

☐ Sent for Enrolling  
HEA No. \_\_\_\_\_

☐ Signed by Speaker

☐ Signed by President

☐ Approved by Governor

☐ Chapter No. \_\_\_\_\_

**NOTES: ADDITIONAL SENATE/HOUSE ACTION**

Withdrawn by Sponsor

☐ Request for New Committee.  
☐ Senate Adopted JCC# \_\_\_\_\_  
☐ Senate Did Not Adopt JCC# \_\_\_\_\_  
 Aye \_\_\_\_\_ No \_\_\_\_\_ Ex \_\_\_\_\_ Ab \_\_\_\_\_  
☐ House Adopted \_\_\_\_\_  
☐ House Did Not Adopt \_\_\_\_\_  
 Aye \_\_\_\_\_ No \_\_\_\_\_ Ex \_\_\_\_\_ Ab \_\_\_\_\_

☐ Request for New Committee.  
☐ Senate Adopted JCC# \_\_\_\_\_  
☐ Senate Did Not Adopt JCC# \_\_\_\_\_  
 Aye No Ex Ab \_\_\_\_\_  
☐ House Adopted \_\_\_\_\_  
☐ House Did Not Adopt \_\_\_\_\_  
 Aye No Ex Ab \_\_\_\_\_

/ [ ] Request for New Committee.  
 / [ ] Senate Adopted JCC#  
 / [ ] Senate Did Not Adopt JCC#  
 Aye No Ex Ab  
 [ ] House Adopted  
 [ ] House Did Not Adopt  
 Aye No Ex Ab

House of Intro  
To Com. No. \_\_\_\_\_  
Stand Report Do Amd Not \_\_\_\_\_  
Com Whole Do Amd Not \_\_\_\_\_  
2nd Reading Amd \_\_\_\_\_  
3rd Reading Amd Pass Fail \_\_\_\_\_

Second House  
To Com No. \_\_\_\_\_  
Stand Report Do Amd Not \_\_\_\_\_  
Com Whole Do Amd Not \_\_\_\_\_  
2nd Reading Amd \_\_\_\_\_  
3rd Reading Amd Pass Fail \_\_\_\_\_

1994

STATE OF WYOMING

94LSO-0187.01

HOUSE BILL NO. 0044

Putative fathers-registry.

Sponsored by: Representative(s) PARK and Senator(s) PHILLIPS

A BILL

for

1 AN ACT to create W.S. 1-22-117; and to amend W.S.  
2 1-22-108(d), 1-22-109(a)(iv) and 1-22-110(a)(intro) relat-  
3 ing to adoption; creating a registry for putative fathers  
4 as specified; conforming related statutes for notice of  
5 adoption as specified; and providing for an effective  
6 date.

7 Be It Enacted by the Legislature of the State of Wyoming:

8 Section 1. W.S. 1-22-117 is created to read:

9 1-22-117. Putative father registry.

10 (a) The department shall establish a putative father  
11 registry which shall record the names and addresses of:

1           (i) Any person adjudicated by a court of this  
2 state to be the father of a child born out-of-wedlock;

3           (ii) Any person who has filed with the registry  
4 before or after the birth of a child out-of-wedlock, a  
5 notice of intent to claim paternity of the child;

6           (iii) Any person adjudicated by a court of  
7 another state or territory of the United States to be the  
8 father of an out-of-wedlock child, where a certified copy  
9 of the court order has been filed with the registry by  
10 that person or any other person; and

11           (iv) Any person who has filed with the registry  
12 an instrument acknowledging paternity.

13           (b) A person filing a notice of intent to claim  
14 paternity of a child or an acknowledgement of paternity  
15 shall include therein his current address and shall notify  
16 the registry of any change of address pursuant to proce-  
17 dures prescribed by regulations of the department.

18           (c) A person who has filed a notice of intent to  
19 claim paternity may at any time revoke a notice of intent  
20 to claim paternity previously filed therewith and, upon  
21 receipt of the notification by the registry, the revoked

1 notice of intent to claim paternity shall be deemed a nul-  
2 lity nunc pro tunc.

3 (d) An unrevoked notice of intent to claim paternity  
4 of a child may be introduced in evidence by any party,  
5 other than the person who filed such notice, in any pro-  
6 ceeding in which such fact may be relevant.

7 (e) The department shall, upon request, provide the  
8 names and addresses of persons listed with the registry to  
9 any court or authorized agency, and such information shall  
10 not be divulged to any other person, except upon order of  
11 a court for good cause shown.

12 (f) As used in this section, "department" means the  
13 department of family services.

14 Section 2. W.S. 1-22-108(d), 1-22-109(a)(iv) and  
15 1-22-110(a)(intro) are amended to read:

16 1-22-108. Hearing on petition and objections; find-  
17 ings by court; effect of default.

18 (d) The putative father has no right to assert pater-  
19 nity in adoption, dependency or termination of parental  
20 rights proceedings unless he is known and identified by  
21 the mother or agency, or unless he has lived with or mar-

1     ried the mother after the birth of the child and prior to  
2     the filing of the petition to adopt, and unless prior to  
3     the interlocutory hearing of the adoption proceedings, he  
4     has acknowledged the child as his own by affirmatively  
5     asserting paternity as provided in W.S.-1-22-108 THIS SEC-  
6     TION OR REGISTERED AS A PUTATIVE FATHER UNDER W.S.  
7     1-22-117.

8             1-22-109. Consent to adoption.

9             (a) A written relinquishment of custody of the child  
10     to be adopted and written consent to adoption shall be  
11     filed with the petition to adopt and shall be signed by:

12             (iv) The mother alone if she does not know the  
13     name of the putative father, in which case she shall sign  
14     and file an affidavit so stating AND THE COURT SHALL  
15     DETERMINE WHETHER THE PUTATIVE FATHER HAS REGISTERED UNDER  
16     W.S. 1-22-117 AND IF SO, SHALL REQUIRE NOTICE TO BE GIVEN  
17     TO THE PUTATIVE FATHER; or

18             1-22-110. When adoption permitted without consent.

19             (a) In addition to the exceptions contained in W.S.  
20     1-22-108, the adoption of a child may be ordered without  
21     the written consent of a parent or the putative father if

1     the court finds that the nonconsenting parent or putative  
2     father is unknown and the affidavit AND DETERMINATION  
3     required by W.S. 1-22-109(a)(iv) has been filed with the  
4     petition to adopt or if the court finds that the putative  
5     father or the nonconsenting parent or parents have:

6             Section 3. This act is effective July 1, 1994.

7                             (END)

Putative fathers-registry.

94LSO-0187.L1

FISCAL NOTE

No significant fiscal or personnel impact.