

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Judiciary to which was referred House Bill No. 278
3 entitled “An act relating to acknowledgment or denial of parentage”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out Sec. 3 (Effective Dates) in its entirety and
6 adding new Secs. 3-6 to read as follows:

7 Sec. 3. 15C V.S.A. § 310 is amended to read:

8 § 310. FORMS FOR VOLUNTARY ACKNOWLEDGMENT AND DENIAL
9 OF PARENTAGE

10 (a) The Department of Health shall develop ~~an~~ a voluntary
11 acknowledgment of parentage form and denial of parentage form for execution
12 of parentage under this chapter.

13 * * *

14 Sec. 4. 15C V.S.A. § 708 is amended to read:

15 § 708. BIRTH AND PARENTAGE ORDERS

16 (a) A party consenting to assisted reproduction, a person who is a parent
17 pursuant to sections 702-704 of this title, an intended parent or parents, or the
18 person giving birth may commence a proceeding in the Probate Division of the
19 Superior Court to obtain an order and judgment of parentage doing any of the
20 following:

1 (1) declaring that the intended parent or parents are the parent or parents
2 of the resulting child and ordering that parental rights and responsibilities vest
3 exclusively in the intended parent or parents immediately upon the birth of the
4 child;

5 (2) except as provide in subsection (d) of this section, sealing the record
6 from the public to protect the privacy of the child and the parties;

7 (3) designating the contents of the birth certificate and directing the
8 Department of Health to designate the intended parent or parents as the parent
9 or parents of the child; or

10 (4) for any relief that the court determines necessary and proper.

11 (b) A proceeding under this section may be commenced before or after the
12 birth of the child.

13 (c) Neither the donor, the State, nor the Department of Health is a
14 necessary party to a proceeding under this section.

15 (d) The Probate Division of the Superior Court shall forward a certified
16 copy of the order issued pursuant to this section to the Department of Health
17 and to the intended parents or their representative.

18 (e) The intended parent or parents and any resulting child shall have access
19 to the court records relating to the proceeding at any time.

1 Sec. 5. 15C V.S.A. § 804 is amended to read:

2 § 804. BIRTH AND PARENTAGE ORDERS

3 (a) Before or after the birth of a resulting child, a party to a gestational
4 carrier agreement may commence a proceeding in the Probate Division of the
5 Superior Court to obtain an order and judgment of parentage doing any of the
6 following:

7 (1) Declaring that the intended parent or parents are the parent or
8 parents of the resulting child and ordering that parental rights and
9 responsibilities vest exclusively in the intended parent or parents immediately
10 upon the birth of the child.

11 (2) Declaring that the gestational carrier or her spouse, if any, are not the
12 parents of the resulting child.

13 (3) Designating the contents of the birth certificate and directing the
14 Department of Health to designate the intended parent or parents as the parent
15 or parents of the child. The Department of Health may charge a reasonable fee
16 for the issuance of a birth certificate.

17 ~~(3)~~(4) Sealing the record from the public to protect the privacy of the
18 child and the parties.

19 ~~(4)~~(5) Providing any relief the court determines necessary and proper.

20 (b) Neither the State nor the Department of Health is a necessary party to a
21 proceeding under subsection (a) of this section.

1 (c) The Probate Division of the Superior Court shall forward a certified
2 copy of the order issued pursuant to this section to the Department of Health
3 and to the intended parents or their representative.

4 (d) The intended parent or parents and any resulting child shall have access
5 to their court records at any time.

6 Sec. 6. EFFECTIVE DATES

7 This section and Secs. 1–3 shall take effect on passage, and the remaining
8 sections shall take effect on July 1, 2019.

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13 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE