



House Judiciary Reported Substitute for HB465

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A BILL
TO BE ENTITLED
AN ACT

Relating to the putative father registry; to amend Section 26-10C-1, Code of Alabama 1975; to require the Department of Human Resources to provide certain information from the putative father registry to a licensed attorney who requests the information, in limited circumstances; and to make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 26-10C-1, Code of Alabama 1975, is amended to read as follows:

"§26-10C-1

(a) The Department of Human Resources shall establish a putative father registry which shall record the names, Social Security ~~number, date~~ numbers, dates of birth, and addresses of the following:

(1) Any ~~person~~ individual adjudicated by a court of this state to be the father of a child born out of wedlock.

(2) Any ~~person~~ individual who has filed a notice of intent to claim paternity of the child with the registry before or after the birth of a child born out of wedlock, ~~a~~



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29 ~~notice of intent to claim paternity of the child,~~ which
30 includes the information required in subsection (c) ~~below~~.

31 (3) Any ~~person~~ individual adjudicated by a court of
32 another state or territory of the United States to be the
33 father of a child born out of wedlock, where a certified copy
34 of the court order has been filed with the registry by the
35 ~~person~~ individual or any other ~~person~~ individual.

36 (4) Any ~~person~~ individual who has filed with the
37 registry an instrument acknowledging paternity pursuant to
38 ~~Sections 26-11-1 to 26-11-3, inclusive~~ Chapter 11.

39 (b) The clerk of the court ~~which~~ that determines a man
40 to be the father of a child born out of wedlock shall
41 immediately notify the Department of Human Resources of the
42 determination of paternity and include ~~therein~~ in the notice
43 the information required under subsection (c) ~~below~~.

44 (c) ~~(1) A person~~ An individual filing a notice of intent
45 to claim paternity of a child or an acknowledgment of
46 paternity shall include all of the following:

47 ~~(1)~~ a. The father's name, Social Security number, date
48 of birth, and current address.

49 ~~(2)~~ b. The mother's name, including all other names
50 known to the putative father that have been used by the
51 mother, Social Security number, date of birth, and address, if
52 known.

53 ~~(3)~~ c. The father's current income and financial
54 information by attaching a child support obligation income
55 statement/affidavit form to be prescribed by ~~regulations~~ rules
56 of the department.



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57 ~~(4)~~ d. The child's name and place of birth, if known.

58 ~~(5)~~ e. The possible date or dates of sexual intercourse.

59 (2) The ~~person~~ individual filing shall notify the
60 registry of any change of address pursuant to the procedures
61 prescribed by ~~regulation~~ rule of the department. The
62 registration must be on a form prescribed by the department
63 and signed by the putative father and notarized.

64 (3) The putative father may file his notice of intent
65 to claim paternity prior to the birth of the child.

66 (d) ~~A person~~ An individual who has filed a notice of
67 intent to claim paternity may at any time revoke a notice of
68 intent to claim paternity previously filed and, upon receipt
69 of the notification by the registry, the revoked notice of
70 intent to claim paternity shall be deemed a nullity nunc pro
71 tunc.

72 (e) An unrevoked notice of intent to claim paternity of
73 a child may be introduced in evidence by any party, other than
74 the ~~person~~ party who filed the notice, in any proceeding in
75 which the fact may be relevant.

76 (f) The Department of Human Resources shall, upon
77 request, provide the names and addresses of ~~persons~~
78 individuals listed with the registry to any court or to any
79 attorney admitted to practice law in this state who attests,
80 by way of signed affidavit, that the information is for the
81 limited purpose of petitioning for the adoption of a child.

82 The information shall not be divulged to any other person
83 except upon order of a court for good cause shown. The
84 Department of Human Resources ~~shall further~~ , after receiving



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85 notice pursuant to Section ~~26-10A-17~~ 26-10E-17 of the pendency
86 of any adoption proceeding wherein the proposed adoptee is a
87 child born within 300 days of the date or dates of sexual
88 intercourse listed in the registry and to the same biological
89 mother listed in the registry, shall immediately send a copy
90 of the notice of intent to claim paternity to the court
91 handling the adoption. When the court handling the adoption
92 receives the notice of the intent to claim paternity, that
93 court shall forthwith give notice of the pendency of the
94 adoption proceeding to the putative father listed in ~~such~~ the
95 notice of intent to claim paternity and at the listed address
96 ~~therein listed~~, and additionally notify the biological mother
97 that the putative father has registered in conformity with the
98 putative father registry.

99 (g) The Department of Human Resources shall create a
100 form titled "Notice of Intent to Claim Paternity" to be used
101 when ~~a person~~ an individual files notice of intent to claim
102 paternity, ~~and which~~. The form shall include the information
103 required under subsection (c), the name of the mother who has
104 given birth or may give birth to a child born out of wedlock,
105 and the possible date or dates of sexual intercourse.

106 (h) The registry, except as provided by subsection (f),
107 shall be kept confidential and not open for public inspection.

108 (i) (1) Any ~~person~~ individual who claims to be the
109 natural father of a child and fails to file his notice of
110 intent to claim paternity pursuant to subsection (a), , prior to
111 or within 30 days of the birth of a child born out of wedlock,
112 shall be deemed to have given an irrevocable implied consent

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113 in any adoption proceeding.

114 (2) This subsection shall be the exclusive procedure
115 available for any ~~person~~ individual who claims to be the
116 natural father of a child born out of wedlock on or after
117 January 1, 1997, to entitle that ~~person~~ individual to notice
118 of and the opportunity to contest any adoption proceeding
119 filed and pending on or after January 1, 1997.

120 (j) (1) ~~A person~~ An individual who knowingly or
121 intentionally registers false information under this section
122 commits a Class A misdemeanor.

123 (2) ~~A person~~ An individual who knowingly or
124 intentionally releases confidential information in violation
125 of this section commits a Class A misdemeanor. However, it is
126 a defense under this subsection if the Department of Human
127 Resources releases confidential information while acting:

- 128 a. In good faith.
129 b. With reasonable diligence."

130 Section 2. This act shall become effective on October
131 1, 2024.