

HB63 INTRODUCED



1 HB63
2 C2A6JJW-1
3 By Representative Sellers
4 RFD: Judiciary
5 First Read: 04-Feb-25
6 PFD: 07-Nov-24



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SYNOPSIS:

Under existing law, following the birth of a child to an unmarried woman in the hospital, the alleged father may execute a voluntary acknowledgment of paternity with consent of the mother. An acknowledgment of paternity constitutes a legal finding of paternity and confers all rights and duties of a parent on the acknowledged father.

This bill would provide that, in any proceeding relating to child custody, visitation, rights, or child support, a valid voluntary acknowledgment of paternity creates certain rebuttable presumptions in favor of joint custody and shared parenting time.

This bill would create a rebuttable presumption in those proceedings that a parent may not remove the child from the state without the permission of the other parent or the court.

This bill would also provide exceptions in cases of domestic or family violence.

A BILL
TO BE ENTITLED
AN ACT



HB63 INTRODUCED

29 Relating to child custody; to amend Section 26-17-305,
30 Code of Alabama 1975; to create certain rebuttable
31 presumptions relating to the best interest of a child in
32 proceedings where a valid acknowledgment of paternity exists;
33 and to provide exceptions.

34 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

35 Section 1. This act shall be known and may be cited as
36 The Good Dad Act.

37 Section 2. Section 26-17-305, Code of Alabama 1975, is
38 amended to read as follows:

39 "§26-17-305

40 (a) Except as otherwise provided in Sections 26-17-307
41 and 26-17-308, a valid acknowledgment of paternity filed with
42 the Alabama Office of Vital Statistics ~~shall be considered~~ is
43 a legal finding of paternity of a child and confers upon the
44 acknowledged father all of the rights and duties of a parent.

45 (b) An acknowledgment of paternity ~~shall be~~ is a
46 legally sufficient basis for establishing an obligation for
47 child support and for the expenses of the mother's pregnancy
48 and confinement.

49 (c) (1) Except as provided in Section 30-3-131, in any
50 proceeding related to child custody, visitation rights, or
51 child support, an acknowledgment of paternity creates a
52 presumption, rebuttable by a preponderance of evidence, that
53 each of the following are in the best interest of the child:

54 a. Joint custody.

55 b. That if a parent lives within 40 miles of his or her
56 child, both parents are entitled to equal rights and



HB63 INTRODUCED

57 responsibilities for major decisions concerning the child and
58 equally shared joint physical custody.

59 c. That neither parent may remove the child from the
60 state of residence without consent of the other parent or
61 permission from the court.

62 (2) In determining whether the presumptions provided in
63 subdivision (1) are in the best interest of the child, the
64 court shall consider the same factors considered in awarding
65 any other custody arrangement and the factors provided in
66 Section 30-3-152.

67 (3) For the purposes of this subsection, the term
68 "parent" refers to an acknowledged father and a mother."

69 Section 3. This act shall become effective on October
70 1, 2025.