

Act No. 115
Public Acts of 1993
Approved by the Governor
July 20, 1993
Filed with the Secretary of State
July 20, 1993

STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1993

Introduced by Reps. Horton, Gire, Voorhees, Harder, Nye, Bender, Jamian, Oxender, Bobler, Sikkema, Dobb, Gernaat, Bandstra, Baade, Goschka, Lowe, Munsell, Dalman, Whyman, London and Cropsey

ENROLLED HOUSE BILL No. 4134

AN ACT to amend section 2824 of Act No. 368 of the Public Acts of 1978, entitled as amended "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," being section 333.2824 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 2824 of Act No. 368 of the Public Acts of 1978, being section 333.2824 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 2824. (1) The name of the husband at the time of conception or, if none, the husband at birth shall be registered as the father of the child. The surname of the child shall be registered as designated by the child's parents.

(2) If the child's mother was not married at the time of conception or birth, the name of the father shall not be entered on the certificate of birth without the written consent of the mother and without the completion, and filing in the probate court, of an acknowledgment of paternity by the mother and the individual to be named as the father. The acknowledgment of paternity shall be completed in the manner provided in section 111(4)(a) of the revised probate code, Act No. 642 of the Public Acts of 1978, being section 700.111 of the Michigan Compiled Laws, and, upon filing, has the same effect as an acknowledgment of paternity filed under section 111 of Act No. 642 of the Public Acts of 1978. For a certificate of birth completed under this subsection and upon the written request of both parents, the surname of the child shall be designated by the child's parents.

(3) If the name of the child's father cannot be shown pursuant to subsection (1) or (2), the child shall be given the surname designated by the mother.

(4) If the paternity of a child is determined by a court of competent jurisdiction, the name of the father shall be entered on the certificate of birth pursuant to the finding and order of the court. The surname of the child shall be entered on the certificate of birth pursuant to the designation of the child's mother.

(5) If the child's father is not named on the birth registration, no other information about the father shall be entered on the registration.

(6) A child born to a married woman as a result of artificial insemination, with consent of her husband, is considered to be the legitimate child of the husband and wife.

(7) After May 30, 1979, a birth certificate shall not contain a reference to the legitimacy or illegitimacy of a child.

This act is ordered to take immediate effect.

Co-Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.