



HOUSE BILL No. 5939

November 10 1994 Introduced by Rep DeMars and referred to the Committee on Public Health

A bill to amend section 2824 of Act No 368 of the Public Acts of 1978, entitled as amended

Public health code

as amended by Act No 115 of the Public Acts of 1993, being section 333 2824 of the Michigan Compiled Laws

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 2824 of Act No 368 of the Public Acts
2 of 1978, as amended by Act No 115 of the Public Acts of 1993,
3 being section 333 2824 of the Michigan Compiled Laws is amended
4 to read as follows

5 Sec 2824 (1) The name of the husband at the time of con-
6 ception or if none the husband at birth shall be registered as
7 the father of the child The surname of the child shall be
8 registered as designated by the child s parents

1 (2) If the child's mother was not married at the time of
2 conception or birth the name of the father shall not be entered
3 on the certificate of birth without the written consent of the
4 mother and without the completion, and filing in the probate
5 court, of an acknowledgment of paternity by the mother and the
6 individual to be named as the father. The acknowledgment of
7 paternity shall be completed in the manner provided in section
8 111(4)(a) of the revised probate code, Act No. 642 of the Public
9 Acts of 1978, being section 700 111 of the Michigan Compiled
10 Laws, and, upon filing, has the same effect as an acknowledgment
11 of paternity filed under section 111 of Act No. 642 of the Public
12 Acts of 1978. For a certificate of birth completed under this
13 subsection and upon the written request of both parents, the sur-
14 name of the child shall be designated by the child's parents.

15 (3) If the name of the child's father cannot be shown pursu-
16 ant to subsection (1) or (2), the child shall be given the sur-
17 name designated by the mother.

18 (4) If the paternity of a child is determined by a court of
19 competent jurisdiction the name of the father shall be entered
20 on the certificate of birth pursuant to the finding and order of
21 the court. The surname of the child shall be entered on the cer-
22 tificate of birth pursuant to the designation of the child's
23 mother.

24 (5) UPON THE REQUEST OF A MAN WHO IS PAYING CHILD SUPPORT
25 FOR A CHILD, WHETHER THROUGH AGREEMENT, COURT ORDER, OR OTHER-
26 WISE, THE MAN'S NAME SHALL BE ENTERED ON THE CERTIFICATE OF BIRTH
27 AS THE NAME OF THE CHILD'S FATHER.

1 (6) ~~-(5)-~~ If the child s father is not named on the birth
2 registration no other information about the father shall be
3 entered on the registration

4 (7) ~~-(6)-~~ A child born to a married woman as a result of
5 artificial insemination, with consent of her husband, is consid-
6 ered to be the legitimate child of the husband and wife

7 (8) ~~-(7)-~~ After May 30 1979, a birth certificate shall not
(8 contain a reference to the legitimacy or illegitimacy of a
9 child