

Act No. 105
Public Acts of 2006
Approved by the Governor
April 7, 2006
Filed with the Secretary of State
April 7, 2006
EFFECTIVE DATE: April 7, 2006

**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006**

Introduced by Reps. Pastor and Gosselin

ENROLLED HOUSE BILL No. 4161

AN ACT to amend 1996 PA 305, entitled "An act to prescribe procedures for and the contents of acknowledgments of parentage; to state the effects of those acknowledgments; to provide procedures and criteria for revoking acknowledgments; and to prescribe powers and duties of certain state officers and employees," by amending sections 6 and 7 (MCL 722.1006 and 722.1007).

The People of the State of Michigan enact:

Sec. 6. After a mother and father sign an acknowledgment of parentage, the mother has initial custody of the minor child, without prejudice to the determination of either parent's custodial rights, until otherwise determined by the court or otherwise agreed upon by the parties in writing and acknowledged by the court. This grant of initial custody to the mother shall not, by itself, affect the rights of either parent in a proceeding to seek a court order for custody or parenting time.

Sec. 7. The acknowledgment of parentage form shall include at least all of the following written notices to the parties:

- (a) The acknowledgment of parentage is a legal document.
- (b) Completion of the acknowledgment is voluntary.
- (c) The mother has initial custody of the child, without prejudice to the determination of either parent's custodial rights, until otherwise determined by the court or agreed by the parties in writing and acknowledged by the court. This grant of initial custody to the mother shall not, by itself, affect the rights of either parent in a proceeding to seek a court order for custody or parenting time.
- (d) Either parent may assert a claim in court for parenting time or custody.
- (e) The parents have a right to notice and a hearing regarding the adoption of the child.
- (f) Both parents have the responsibility to support the child and to comply with a court or administrative order for the child's support.

(g) Notice that signing the acknowledgment waives the following:

(i) Blood or genetic tests to determine if the man is the biological father of the child.

(ii) Any right to an attorney, including the prosecuting attorney or an attorney appointed by the court in the case of indigency, to represent either party in a court action to determine if the man is the biological father of the child.

(iii) A trial to determine if the man is the biological father of the child.

(h) That in order to revoke an acknowledgment of parentage, an individual must file a claim as provided under section 11.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor