

See House Resources D. Pass 7/21 (p. 669)

JAN 17 1990

Place On Calendar

HOUSE FILE 2104
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO HSB 527)

Passed House, Date 1/24/90 (p. 153) Passed Senate, Date 3/13/90 (p. 1020)
Vote: Ayes 100 Nays 0 Vote: Ayes 47 Nays 0
Approved March 26, 1990

A BILL FOR

1 An Act requiring the Iowa department of public health to enter
2 the name of the father on the certificate of birth upon a
3 determination of paternity by a court of competent
4 jurisdiction.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22

HF 2104

1 Section 1. Section 144.13, unnumbered paragraphs 2 and 3,
2 Code 1989, are amended to read as follows:

3 If the mother was married either at the time of conception
4 or birth, the name of the husband shall be entered on the
5 certificate as the father of the child unless paternity has
6 been determined otherwise by a court of competent
7 jurisdiction, in which case the name of the father as
8 determined by the court shall be entered by the department.

9 If the mother was not married either at the time of
10 conception or birth, the name of the father shall not be
11 entered on the certificate of birth without the written
12 consent of the mother and the person to be named as the
13 father, unless a determination of paternity has been made by a
14 court of competent jurisdiction, in which case the name of the
15 father as determined by the court shall be entered by the
16 department.

17 EXPLANATION

18 The bill provides that the Iowa department of public health
19 is responsible for entering the name of the father on the
20 certificate of birth once a court of competent jurisdiction
21 has made a determination of paternity.

22
23
24
25
26
27
28
29
30
31
32
33
34
35

HOUSE FILE 2104
BY (PROPOSED DEPARTMENT
OF HEALTH BILL)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring the Iowa department of public health to enter
2 the name of the father on the certificate of birth upon a
3 determination of paternity by a court of competent
4 jurisdiction.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

1 Section 1. Section 144.13, unnumbered paragraphs 2 and 3,
2 Code 1989, are amended to read as follows:

3 If the mother was married either at the time of conception
4 or birth, the name of the husband shall be entered on the
5 certificate as the father of the child unless paternity has
6 been determined otherwise by a court of competent
7 jurisdiction, in which case the name of the father as
8 determined by the court shall be entered by the department.

9 If the mother was not married either at the time of
10 conception or birth, the name of the father shall not be
11 entered on the certificate of birth without the written
12 consent of the mother and the person to be named as the
13 father, unless a determination of paternity has been made by a
14 court of competent jurisdiction, in which case the name of the
15 father as determined by the court shall be entered by the
16 department.

17

EXPLANATION

18 The bill provides that the Iowa department of public health
19 is responsible for entering the name of the father on the
20 certificate of birth once a court of competent jurisdiction
21 has made a determination of paternity.

22

BACKGROUND STATEMENT

23

SUBMITTED BY THE AGENCY

24 Iowa Code section 144.13 does not currently state who is
25 responsible for entering the name of the father on the
26 certificate of birth when there has been a court determination
27 of paternity. Occasionally court-determined paternity actions
28 contain incomplete information. Hospitals do not routinely
29 receive copies of court orders establishing paternity, and the
30 public is often confused about when a court order or paternity
31 affidavit may be used. Naming the Iowa department of public
32 health as the responsible party for entering paternity changes
33 on certificates of birth will reduce confusion and ensure
34 accurate information on the certificates.

35

father as determined by the court shall be entered by the department.

HOUSE FILE 2104

AN ACT

REQUIRING THE IOWA DEPARTMENT OF PUBLIC HEALTH TO ENTER THE NAME OF THE FATHER ON THE CERTIFICATE OF BIRTH UPON A DETERMINATION OF PATERNITY BY A COURT OF COMPETENT JURISDICTION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 144.13, unnumbered paragraphs 2 and 3, Code 1989, are amended to read as follows:

If the mother was married either at the time of conception or birth, the name of the husband shall be entered on the certificate as the father of the child unless paternity has been determined otherwise by a court of competent jurisdiction, in which case the name of the father as determined by the court shall be entered by the department.

If the mother was not married either 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 the person to be named as the father, unless a determination of paternity has been made by a court of competent jurisdiction, in which case the name of the

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2104, Seventy-third General Assembly.

Approved March 26, 1990

JOSEPH O'HERN
Chief Clerk of the House

TERRY E. BRANSTAD
Governor

HF 2104