

## SENATE BILL NO. 71—SENATORS CARE AND AMODEI

FEBRUARY 6, 2007

Referred to Committee on Judiciary

SUMMARY—Enacts certain provisions of the Uniform Parentage Act. (BDR 11-719)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.  
Effect on the State: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to parentage; enacting certain provisions of the Uniform Parentage Act; providing for the transition from the present law concerning parentage to the Uniform Parentage Act; and providing other matters properly relating thereto.

## Legislative Counsel's Digest:

This bill enacts the Uniform Parentage Act (2000), as amended in 2002, but excludes the provisions of the Act which create and provide for a registry for putative fathers.

**Sections 75-97** of this bill provide rules to govern judicial proceedings to determine parentage. Under existing law, an action to determine paternity must be brought not later than 3 years after the child reaches the age of 18. (NRS 126.081) Under **section 80** of this bill, there is no statute of limitations for an action to determine the parentage of a child who has no presumed, acknowledged or adjudicated father. If a child has a presumed father, **section 81** of this bill provides that the statute of limitations for an action is 2 years from the birth of the child. However, an action to disprove the presumed father's paternity may be brought at any time if the presumed father and mother did not cohabit or have sexual intercourse during the time of conception and the presumed father did not treat the child as his own.

Under existing law, if, with the consent of her husband, a married woman is artificially inseminated, the husband is the legal father of the resulting child. (NRS 126.061) **Sections 98-104** of this bill provide that if a man and a woman consent to assisted reproduction with the intent to be the parents of the resulting child, they are the legal parents of the resulting child. In addition, **sections 98-104** provide for the parentage of a child if the placement of eggs, sperm or embryos occurs after a marriage is dissolved or after the death of an individual who has consented to be a parent of a child conceived as a result of assisted reproduction.


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Existing law allows a married couple to enter into a contract with a surrogate for assisted conception and prohibits the payment of anything of value to the surrogate except for medical and necessary living expenses related to the birth of the child. (NRS 126.045) **Sections 105-113** of this bill allow a man and a woman to enter into a gestational agreement with a woman that obligates the woman to become pregnant by assisted reproduction and relinquish all parental rights and duties with respect to the child. If the woman who will become pregnant is married, her husband must consent to the agreement and he has no parental rights or obligations with respect to the child. Under **sections 105-113**, a gestational agreement is not enforceable unless a court validates the agreement. Also, the birth mother may receive a reasonable compensation and has the power to terminate the agreement.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** NRS 125B.150 is hereby amended to read as follows:

125B.150 1. The district attorney of the county of residence of the child, or of a parent, alleged parent or guardian who does not have physical custody of the child, shall take such action as is necessary to establish parentage of the child and locate and take legal action, including the establishment or adjustment of an obligation of support, against a person who has a duty to support the child when requested to do so by the parent, alleged parent or guardian or a public agency which provides assistance to the parent, alleged parent, guardian or child. If the court for cause transfers the action to another county, the clerk of the receiving court shall notify the district attorney of that county, and that district attorney shall proceed to prosecute the cause of action and take such further action as is necessary to establish parentage and to establish or adjust the obligation of support and to enforce the payment of support pursuant to this chapter or chapter 31A, 126, 130 or 425 of NRS.

2. In a county where the district attorney has deputies to aid him in the performance of his duties, the district attorney shall designate himself or a particular deputy as responsible for performing the duties imposed by subsection 1.

3. ~~[Except as otherwise provided in NRS 126.101, the]~~ **The** district attorney and his deputies do not represent the parent, alleged parent, guardian or child in the performance of their duties pursuant to this chapter and chapter 31A, 126, 130 or 425 of NRS, but are rendering a public service as representatives of the State.

4. Officials of the Division of Welfare and Supportive Services of the Department of Health and Human Services are entitled to access to the information obtained by the district attorney if that information is relevant to the performance of their duties. The



1 district attorney or his deputy shall inform each person who  
2 provides information pursuant to this section concerning the  
3 limitations on the confidentiality between lawyer and client under  
4 these circumstances.

5 5. Disclosures of criminal activity by a parent or child are not  
6 confidential.

7 6. The district attorney shall inform each parent who applies  
8 for his assistance in this regard that a procedure is available to  
9 collect unpaid support from any refund owed to the parent who has  
10 a duty to support the child because an excessive amount of money  
11 was withheld to pay his federal income tax. The district attorney  
12 shall submit to the Division of Welfare and Supportive Services all  
13 documents and information it requires to pursue such a collection if:

14 (a) The applicant is not receiving public assistance.

15 (b) The district attorney has in his records:

16 (1) A copy of the order of support for a child and any  
17 modifications of the order which specify their date of issuance and  
18 the amount of the ordered support;

19 (2) A copy of a record of payments received or, if no such  
20 record is available, an affidavit signed by the custodial parent  
21 attesting to the amount of support owed; and

22 (3) The current address of the custodial parent.

23 (c) From the records in his possession, the district attorney has  
24 reason to believe that the amount of unpaid support is not less than  
25 \$500.

26 ➤ Before submitting the documents and information to the Division  
27 of Welfare and Supportive Services, the district attorney shall verify  
28 the accuracy of the documents submitted relating to the amount  
29 claimed as unpaid support and the name and social security number  
30 of the parent who has a duty to support the child. If the district  
31 attorney has verified this information previously, he need not  
32 reverify it before submitting it to the Division of Welfare and  
33 Supportive Services.

34 7. The Division of Welfare and Supportive Services shall adopt  
35 such regulations as are necessary to carry out the provisions of  
36 subsection 6.

37 **Sec. 2.** Chapter 126 of NRS is hereby amended by adding  
38 thereto the provisions set forth as sections 3 to 114, inclusive, of this  
39 act.

40 **Sec. 3.** *Sections 3 to 114, inclusive, of this act may be cited as*  
41 *the Uniform Parentage Act.*

42 **Sec. 4.** *As used in this chapter, unless the context otherwise*  
43 *requires, the words and terms defined in sections 5 to 27,*  
44 *inclusive, of this act have the meanings ascribed to them in those*  
45 *sections.*



1     **Sec. 5.** *“Acknowledged father” means a man who has*  
2 *established a father-child relationship under sections 36 to 49,*  
3 *inclusive, of this act.*

4     **Sec. 6.** *“Adjudicated father” means a man who has been*  
5 *adjudicated by a court of competent jurisdiction to be the father of*  
6 *a child.*

7     **Sec. 7.** *“Agency which provides child welfare services” has*  
8 *the meaning ascribed to it in NRS 432B.030.*

9     **Sec. 8.** *“Alleged father” means a man who alleges himself to*  
10 *be, or is alleged to be, the genetic father or a possible genetic*  
11 *father of a child, but whose paternity has not been determined.*  
12 *The term does not include:*

- 13     1. *A presumed father;*
- 14     2. *A man whose parental rights have been terminated or*  
15 *declared not to exist; or*
- 16     3. *A male donor.*

17     **Sec. 9.** *“Assisted reproduction” means a method of causing*  
18 *pregnancy other than sexual intercourse. The term includes,*  
19 *without limitation:*

- 20     1. *Intrauterine insemination;*
- 21     2. *Donation of eggs;*
- 22     3. *Donation of embryos;*
- 23     4. *In vitro fertilization and transfer of embryos; and*
- 24     5. *Intracytoplasmic sperm injection.*

25     **Sec. 10.** *“Child” means an individual of any age whose*  
26 *parentage may be determined under this chapter.*

27     **Sec. 11.** *“Commence” means to file the initial pleading*  
28 *seeking an adjudication of parentage in a district court of this*  
29 *State.*

30     **Sec. 12.** *“Determination of parentage” means the*  
31 *establishment of the parent-child relationship by the signing of a*  
32 *valid acknowledgment of paternity under sections 36 to 49,*  
33 *inclusive, of this act or by adjudication by the court.*

34     **Sec. 13.** (Deleted by amendment.)

35     **Sec. 14.** *“Donor” means an individual who produces eggs or*  
36 *sperm used for assisted reproduction, whether or not for*  
37 *consideration. The term does not include:*

- 38     1. *A husband who provides sperm, or a wife who provides*  
39 *eggs, to be used for assisted reproduction by the wife;*
- 40     2. *A woman who gives birth to a child by means of assisted*  
41 *reproduction, except as otherwise provided in sections 105 to 113,*  
42 *inclusive, of this act; or*
- 43     3. *A parent under sections 98 to 104, inclusive, of this act or*  
44 *an intended parent under sections 105 to 113, inclusive, of this act.*



1     **Sec. 15.** *“Ethnic or racial group” means, for purposes of*  
2 *genetic testing, a recognized group which an individual identifies*  
3 *as all or part of the individual’s ancestry or which is so identified*  
4 *by other information.*

5     **Sec. 16.** *“Genetic testing” means an analysis of genetic*  
6 *markers to exclude or identify a man as the father or a woman as*  
7 *the mother of a child. The term includes an analysis of one or a*  
8 *combination of the following:*

9         1. *Deoxyribonucleic acid; and*

10        2. *Blood-group antigens, red-cell antigens, human-leukocyte*  
11 *antigens, serum enzymes, serum proteins or red-cell enzymes.*

12     **Sec. 17.** *“Gestational mother” means an adult woman who*  
13 *gives birth to a child under a gestational agreement.*

14     **Sec. 18.** *“Man” means a male individual of any age.*

15     **Sec. 19.** *“Parent” means an individual who has established a*  
16 *parent-child relationship under section 32 of this act.*

17     **Sec. 20.** *“Parent-child relationship” means the legal*  
18 *relationship between a child and a parent of the child. The term*  
19 *includes the mother-child relationship and the father-child*  
20 *relationship.*

21     **Sec. 21.** *“Paternity index” means the likelihood of paternity*  
22 *calculated by computing the ratio between:*

23         1. *The likelihood that the tested man is the father, based on*  
24 *the genetic markers of the tested man, mother and child,*  
25 *conditioned on the hypothesis that the tested man is the father of*  
26 *the child; and*

27         2. *The likelihood that the tested man is not the father, based*  
28 *on the genetic markers of the tested man, mother and child,*  
29 *conditioned on the hypothesis that the tested man is not the father*  
30 *of the child and that the father is of the same ethnic or racial*  
31 *group as the tested man.*

32     **Sec. 22.** *“Presumed father” means a man who, by operation*  
33 *of law under section 35 of this act, is recognized as the father of a*  
34 *child until that status is rebutted or confirmed in a judicial*  
35 *proceeding.*

36     **Sec. 23.** *“Probability of paternity” means the measure, for*  
37 *the ethnic or racial group to which the alleged father belongs, of*  
38 *the probability that the man in question is the father of the child,*  
39 *compared with a random, unrelated man of the same ethnic or*  
40 *racial group, expressed as a percentage incorporating the*  
41 *paternity index and a prior probability.*

42     **Sec. 24.** *“Record” means information which is inscribed on*  
43 *a tangible medium or which is stored in an electronic or other*  
44 *medium and is retrievable in perceivable form.*



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1     **Sec. 25.** *“Signatory” means an individual who authenticates*  
2 *a record and is bound by its terms.*

3     **Sec. 26.** *“State” means a state of the United States, the*  
4 *District of Columbia, Puerto Rico, the United States Virgin*  
5 *Islands or any territory or insular possession subject to the*  
6 *jurisdiction of the United States.*

7     **Sec. 27.** *“Support-enforcement agency” means a public*  
8 *official or agency authorized to seek:*

9         1. *Enforcement of support orders or laws relating to the duty*  
10 *of support;*

11         2. *Establishment or modification of child support;*

12         3. *Determination of parentage; or*

13         4. *The location of child-support obligors and their income*  
14 *and assets.*

15     **Sec. 28.** 1. *Sections 3 to 114, inclusive, of this act apply to*  
16 *determinations of parentage in this State.*

17         2. *The court shall apply the law of this State to adjudicate the*  
18 *parent-child relationship. The applicable law does not depend on:*

19             (a) *The place of birth of the child; or*

20             (b) *The past or present residence of the child.*

21         3. *The provisions of sections 3 to 114, inclusive, of this act do*  
22 *not create, enlarge or diminish parental rights or duties under*  
23 *other law of this State.*

24     **Sec. 29.** *The district court is authorized to adjudicate*  
25 *parentage under sections 3 to 114, inclusive, of this act.*

26     **Sec. 30.** *Proceedings under sections 3 to 114, inclusive, of*  
27 *this act are subject to other law of this State governing the health,*  
28 *safety, privacy and liberty of a child or other individual who could*  
29 *be jeopardized by disclosure of identifying information, including,*  
30 *without limitation, an address, a telephone number, place of*  
31 *employment, social security number and the child’s day care*  
32 *facility or school.*

33     **Sec. 31.** *The provisions of sections 3 to 114, inclusive, of this*  
34 *act relating to determinations of paternity apply to determinations*  
35 *of maternity.*

36     **Sec. 32.** 1. *The mother-child relationship is established*  
37 *between a woman and a child by:*

38             (a) *The woman’s having given birth to the child, except as*  
39 *otherwise provided in sections 105 to 113, inclusive, of this act;*

40             (b) *An adjudication of the woman’s maternity;*

41             (c) *Adoption of the child by the woman; or*

42             (d) *An adjudication confirming the woman as a parent of a*  
43 *child born to a gestational mother if the agreement was validated*  
44 *under sections 105 to 113, inclusive, of this act or is enforceable*  
45 *under other law.*



1       2. *The father-child relationship is established between a man*  
2 *and a child by:*

3       (a) *An un rebutted presumption of the man's paternity of the*  
4 *child under section 35 of this act;*

5       (b) *An effective acknowledgment of paternity by the man*  
6 *under sections 36 to 49, inclusive, of this act, unless the*  
7 *acknowledgment has been rescinded or successfully challenged;*

8       (c) *An adjudication of the man's paternity;*

9       (d) *Adoption of the child by the man;*

10       (e) *The man's having consented to assisted reproduction by a*  
11 *woman under sections 98 to 104, inclusive, of this act which*  
12 *resulted in the birth of the child; or*

13       (f) *An adjudication confirming the man as a parent of a child*  
14 *born to a gestational mother if the agreement was validated under*  
15 *sections 105 to 113, inclusive, of this act or is enforceable under*  
16 *other law.*

17       **Sec. 33.** *A child born to parents who are not married to each*  
18 *other has the same rights under the law as a child born to parents*  
19 *who are married to each other.*

20       **Sec. 34.** *Unless parental rights are terminated, a parent-child*  
21 *relationship established under sections 3 to 114, inclusive, of this*  
22 *act applies for all purposes, except as otherwise specifically*  
23 *provided by other law of this State.*

24       **Sec. 35. 1.** *A man is presumed to be the father of a child if:*

25       (a) *He and the mother of the child are married to each other*  
26 *and the child is born during the marriage;*

27       (b) *He and the mother of the child were married to each other*  
28 *and the child is born within 300 days after the marriage is*  
29 *terminated by death, annulment, declaration of invalidity or*  
30 *divorce, or after a court of competent jurisdiction has entered an*  
31 *order of separate maintenance;*

32       (c) *Before the birth of the child, he and the mother of the child*  
33 *married each other in apparent compliance with law, even if the*  
34 *attempted marriage is or could be declared invalid, and the child is*  
35 *born during the invalid marriage or within 300 days after its*  
36 *termination by death, annulment, declaration of invalidity or*  
37 *divorce, or after a court of competent jurisdiction has entered an*  
38 *order of separate maintenance;*

39       (d) *After the birth of the child, he and the mother of the child*  
40 *married each other in apparent compliance with law, whether or*  
41 *not the marriage is or could be declared invalid, and he*  
42 *voluntarily asserted his paternity of the child, and:*

43       (1) *The assertion is in a record filed with the State*  
44 *Registrar of Vital Statistics;*



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(2) *He agreed to be and is named as the child's father on the child's birth certificate; or*

(3) *He promised in a record to support the child as his own; or*

(e) *For the first 2 years of the child's life, he resided in the same household with the child and openly held out the child as his own.*

2. *A presumption of paternity established under this section may be rebutted only by an adjudication under sections 75 to 97, inclusive, of this act.*

**Sec. 36.** *The mother of a child and a man claiming to be the genetic father of the child may sign an acknowledgment of paternity with intent to establish the man's paternity.*

**Sec. 37.** 1. *An acknowledgment of paternity must:*

(a) *Be in a record;*

(b) *Be signed, or otherwise authenticated, under penalty of perjury by the mother and by the man seeking to establish his paternity;*

(c) *State that the child whose paternity is being acknowledged:*

(1) *Does not have a presumed father, or has a presumed father whose full name is stated; and*

(2) *Does not have another acknowledged or adjudicated father;*

(d) *State whether there has been genetic testing and, if so, that the acknowledging man's claim of paternity is consistent with the results of the testing; and*

(e) *State that the signatories understand that the acknowledgment is the equivalent of a judicial adjudication of paternity of the child and that a challenge to the acknowledgment is permitted only under limited circumstances and is barred after 2 years.*

2. *An acknowledgment of paternity is void if it:*

(a) *States that another man is a presumed father, unless a denial of paternity signed or otherwise authenticated by the presumed father is filed with the State Registrar of Vital Statistics;*

(b) *States that another man is an acknowledged or adjudicated father; or*

(c) *Falsely denies the existence of a presumed, acknowledged or adjudicated father of the child.*

3. *A presumed father may sign or otherwise authenticate an acknowledgment of paternity.*

**Sec. 38.** *A presumed father may sign a denial of his paternity. The denial is valid only if:*





1     1. An acknowledgment of paternity signed, or otherwise  
2     authenticated, by another man is filed pursuant to section 40 of  
3     this act;

4     2. The denial is in a record, and is signed, or otherwise  
5     authenticated, under penalty of perjury; and

6     3. The presumed father has not previously:

7     (a) Acknowledged his paternity, unless the previous  
8     acknowledgment has been rescinded pursuant to section 42 of this  
9     act or successfully challenged pursuant to section 43 of this act; or

10    (b) Been adjudicated to be the father of the child.

11    **Sec. 39.** 1. An acknowledgment of paternity and a denial of  
12    paternity may be contained in a single document or may be signed  
13    in counterparts, and may be filed separately or simultaneously. If  
14    the acknowledgement and denial are both necessary, neither is  
15    valid until both are filed.

16    2. An acknowledgment of paternity or a denial of paternity  
17    may be signed before the birth of the child.

18    3. Subject to subsection 1, an acknowledgment of paternity or  
19    denial of paternity takes effect on the birth of the child or the  
20    filing of the document with the State Registrar of Vital Statistics,  
21    whichever occurs later.

22    4. An acknowledgment of paternity or denial of paternity  
23    signed by a minor is valid if it is otherwise in compliance with  
24    sections 3 to 114, inclusive, of this act.

25    **Sec. 40.** 1. Except as otherwise provided in sections 42 and  
26    43 of this act, a valid acknowledgment of paternity filed with the  
27    State Registrar of Vital Statistics is equivalent to an adjudication  
28    of paternity of a child and confers upon the acknowledged father  
29    all of the rights and duties of a parent.

30    2. Except as otherwise provided in sections 42 and 43 of this  
31    act, a valid denial of paternity by a presumed father filed with the  
32    State Registrar of Vital Statistics in conjunction with a valid  
33    acknowledgment of paternity is equivalent to an adjudication of  
34    the nonpaternity of the presumed father and discharges the  
35    presumed father from all rights and duties of a parent.

36    **Sec. 41.** The State Registrar of Vital Statistics may not  
37    charge a fee for filing an acknowledgment of paternity or denial  
38    of paternity.

39    **Sec. 42.** A signatory may rescind an acknowledgment of  
40    paternity or denial of paternity by commencing a proceeding to  
41    rescind before the earlier of:

42    1. Sixty days after the effective date of the acknowledgment  
43    or denial, as provided in section 39 of this act; or

44    2. The date of the first hearing, in a proceeding to which the  
45    signatory is a party, before a court to adjudicate an issue relating



1 *to the child, including, without limitation, a proceeding that*  
2 *establishes support.*

3 **Sec. 43.** 1. *After the period for rescission under section 42*  
4 *of this act has expired, a signatory of an acknowledgment of*  
5 *paternity or denial of paternity may commence a proceeding to*  
6 *challenge the acknowledgment or denial only:*

7 (a) *On the basis of fraud, duress or material mistake of fact;*  
8 *and*

9 (b) *Within 2 years after the acknowledgment or denial is filed*  
10 *with the State Registrar of Vital Statistics.*

11 2. *A party challenging an acknowledgment of paternity or*  
12 *denial of paternity has the burden of proof.*

13 **Sec. 44.** 1. *Every signatory to an acknowledgment of*  
14 *paternity and any related denial of paternity must be made a party*  
15 *to a proceeding to rescind or challenge the acknowledgment or*  
16 *denial.*

17 2. *For the purpose of rescission of, or challenge to, an*  
18 *acknowledgment of paternity or denial of paternity, a signatory*  
19 *submits to personal jurisdiction of this State by signing the*  
20 *acknowledgment or denial, effective upon the filing of the*  
21 *document with the State Registrar of Vital Statistics.*

22 3. *Except for good cause shown, during the pendency of a*  
23 *proceeding to rescind or challenge an acknowledgment of*  
24 *paternity or denial of paternity, the court may not suspend the*  
25 *legal responsibilities of a signatory arising from the*  
26 *acknowledgment, including, without limitation, the duty to pay*  
27 *child support.*

28 4. *A proceeding to rescind or to challenge an*  
29 *acknowledgment of paternity or denial of paternity must be*  
30 *conducted in the same manner as a proceeding to adjudicate*  
31 *parentage under sections 75 to 97, inclusive, of this act.*

32 5. *At the conclusion of a proceeding to rescind or challenge*  
33 *an acknowledgment of paternity or denial of paternity, the court*  
34 *shall order the State Registrar of Vital Statistics to amend the birth*  
35 *record of the child, if appropriate.*

36 **Sec. 45.** *A court or administrative agency conducting a*  
37 *judicial or administrative proceeding is not required or permitted*  
38 *to ratify an unchallenged acknowledgment of paternity.*

39 **Sec. 46.** *A court of this State shall give full faith and credit to*  
40 *an acknowledgment of paternity or denial of paternity effective in*  
41 *another state if the acknowledgment or denial has been signed and*  
42 *is otherwise in compliance with the law of the other state.*

43 **Sec. 47.** 1. *To facilitate compliance with sections 36 to 49,*  
44 *inclusive, of this act, the State Board of Health shall prescribe*



1 *forms for the acknowledgment of paternity and the denial of*  
2 *paternity.*

3 2. *A valid acknowledgment of paternity or denial of paternity*  
4 *is not affected by a later modification of the prescribed form.*

5 **Sec. 48.** *The State Registrar of Vital Statistics may release*  
6 *information relating to an acknowledgment of paternity or denial*  
7 *of paternity to a signatory of the acknowledgment or denial and to*  
8 *courts and agencies of this or another state or the Federal*  
9 *Government.*

10 **Sec. 49.** *The State Board of Health may adopt regulations to*  
11 *implement sections 36 to 49, inclusive, of this act.*

12 **Sec. 50.** (Deleted by amendment.)

13 **Sec. 51.** (Deleted by amendment.)

14 **Sec. 52.** (Deleted by amendment.)

15 **Sec. 53.** (Deleted by amendment.)

16 **Sec. 54.** (Deleted by amendment.)

17 **Sec. 55.** (Deleted by amendment.)

18 **Sec. 56.** (Deleted by amendment.)

19 **Sec. 57.** (Deleted by amendment.)

20 **Sec. 58.** (Deleted by amendment.)

21 **Sec. 59.** (Deleted by amendment.)

22 **Sec. 60.** (Deleted by amendment.)

23 **Sec. 61.** (Deleted by amendment.)

24 **Sec. 62.** (Deleted by amendment.)

25 **Sec. 63.** (Deleted by amendment.)

26 **Sec. 64.** *Sections 64 to 74, inclusive, of this act govern*  
27 *genetic testing of an individual to determine parentage, whether*  
28 *the individual:*

29 1. *Voluntarily submits to testing; or*

30 2. *Is tested pursuant to an order of the court or a support-*  
31 *enforcement agency.*

32 **Sec. 65.** 1. *Except as otherwise provided in sections 64 to*  
33 *74, inclusive, and 75 to 97, inclusive, of this act, the court shall*  
34 *order the child and other designated individuals to submit to*  
35 *genetic testing if the request for testing is supported by the sworn*  
36 *statement of a party to the proceeding:*

37 (a) *Alleging paternity and stating facts establishing a*  
38 *reasonable probability of the requisite sexual contact between the*  
39 *individuals; or*

40 (b) *Denying paternity and stating facts establishing a*  
41 *possibility that sexual contact between the individuals, if any, did*  
42 *not result in the conception of the child.*

43 2. *A support-enforcement agency may order genetic testing*  
44 *only if there is no presumed, acknowledged or adjudicated father.*



1       3. If a request for genetic testing of a child is made before  
2 birth, the court or support-enforcement agency may not order in  
3 utero testing.

4       4. If two or more men are subject to court-ordered genetic  
5 testing, the testing may be ordered concurrently or sequentially.

6       **Sec. 66.** 1. Genetic testing must be of a type reasonably  
7 relied upon by experts in the field of genetic testing and performed  
8 in a testing laboratory accredited by:

9       (a) The American Association of Blood Banks, or a successor  
10 to its functions;

11       (b) The American Society for Histocompatibility and  
12 Immunogenetics, or a successor to its functions; or

13       (c) An accrediting body designated by the Secretary of Health  
14 and Human Services.

15       2. A specimen used in genetic testing may consist of one or  
16 more samples, or a combination of samples, of blood, buccal cells,  
17 bone, hair or other body tissue or fluid. The specimen used in the  
18 testing need not be of the same kind for each individual  
19 undergoing genetic testing.

20       3. Based on the ethnic or racial group of an individual, the  
21 testing laboratory shall determine the databases from which to  
22 select frequencies for use in calculation of the probability of  
23 paternity. If there is disagreement as to the testing laboratory's  
24 choice, the following rules apply:

25       (a) The individual objecting may require the testing  
26 laboratory, within 30 days after receipt of the report of the test, to  
27 recalculate the probability of paternity using an ethnic or racial  
28 group different from that used by the laboratory.

29       (b) The individual objecting to the testing laboratory's initial  
30 choice shall:

31       (1) If the frequencies are not available to the testing  
32 laboratory for the ethnic or racial group requested, provide the  
33 requested frequencies compiled in a manner recognized by  
34 accrediting bodies; or

35       (2) Engage another testing laboratory to perform the  
36 calculations.

37       (c) The testing laboratory may use its own statistical estimate if  
38 there is a question regarding which ethnic or racial group is  
39 appropriate. If available, the testing laboratory shall calculate the  
40 frequencies using statistics for any other ethnic or racial group  
41 requested.

42       4. If, after recalculation using a different ethnic or racial  
43 group, genetic testing does not rebuttably identify a man as the  
44 father of a child under section 68 of this act, an individual who



1 *has been tested may be required to submit to additional genetic*  
2 *testing.*

3 **Sec. 67. 1.** *A report of genetic testing must be in a record*  
4 *and signed under penalty of perjury by a designee of the testing*  
5 *laboratory. A report made under the requirements of sections 64 to*  
6 *74, inclusive, of this act is self-authenticating.*

7 **2.** *Documentation from the testing laboratory of the following*  
8 *information is sufficient to establish a reliable chain of custody*  
9 *that allows the results of genetic testing to be admissible without*  
10 *testimony:*

11 (a) *The names and photographs of the individuals whose*  
12 *specimens have been taken;*

13 (b) *The names of the individuals who collected the specimens;*

14 (c) *The places and dates the specimens were collected;*

15 (d) *The names of the individuals who received the specimens*  
16 *in the testing laboratory; and*

17 (e) *The dates the specimens were received.*

18 **Sec. 68. 1.** *Under sections 3 to 114, inclusive, of this act, a*  
19 *man is rebuttably identified as the father of a child if the genetic*  
20 *testing complies with sections 64 to 74, inclusive, of this act and*  
21 *the results disclose that the man has:*

22 (a) *At least a 99 percent probability of paternity, using a prior*  
23 *probability of 0.50, as calculated by using the combined paternity*  
24 *index obtained in the testing; and*

25 (b) *A combined paternity index of at least 100 to 1.*

26 **2.** *A man identified under subsection 1 as the father of the*  
27 *child may rebut the genetic testing results only by other genetic*  
28 *testing satisfying the requirements of sections 64 to 74, inclusive,*  
29 *of this act which:*

30 (a) *Excludes the man as a genetic father of the child; or*

31 (b) *Identifies another man as the possible father of the child.*

32 **3.** *Except as otherwise provided in section 73 of this act, if*  
33 *more than one man is identified by genetic testing as the possible*  
34 *father of the child, the court shall order them to submit to further*  
35 *genetic testing to identify the genetic father.*

36 **Sec. 69. 1.** *Subject to assessment of costs under sections 75*  
37 *to 97, inclusive, of this act, the cost of initial genetic testing must*  
38 *be advanced:*

39 (a) *By a support-enforcement agency in a proceeding in which*  
40 *the support-enforcement agency is providing services;*

41 (b) *By the individual who made the request;*

42 (c) *As agreed by the parties; or*

43 (d) *As ordered by the court.*



2. *In cases in which the cost is advanced by the support-enforcement agency, the agency may seek reimbursement from a man who is rebuttably identified as the father.*

**Sec. 70.** *The court or the support-enforcement agency shall order additional genetic testing upon the request of a party who contests the result of the original testing. If the previous genetic testing identified a man as the father of the child under section 68 of this act, the court or agency may not order additional testing unless the party provides advance payment for the testing.*

**Sec. 71.** *1. Subject to subsection 2, if a genetic-testing specimen is not available from a man who may be the father of a child, for good cause and under circumstances the court considers to be just, the court may order the following individuals to submit specimens for genetic testing:*

- (a) The parents of the man;*
- (b) Brothers and sisters of the man;*
- (c) Other children of the man and their mothers; and*
- (d) Other relatives of the man necessary to complete genetic testing.*

*2. Issuance of an order under this section requires a finding that a need for genetic testing outweighs the legitimate interests of the individual sought to be tested.*

**Sec. 72.** *For good cause shown, the court may order genetic testing of a deceased individual.*

**Sec. 73.** *1. The court may order genetic testing of a brother of a man identified as the father of a child if the man is commonly believed to have an identical brother and evidence suggests that the brother may be the genetic father of the child.*

*2. If each brother satisfies the requirements as the identified father of the child under section 68 of this act without consideration of another identical brother being identified as the father of the child, the court may rely on nongenetic evidence to adjudicate which brother is the father of the child.*

**Sec. 74.** *1. Release of the report of genetic testing for parentage is controlled by the provisions of NRS 629.101 to 629.201, inclusive.*

*2. An individual who intentionally releases an identifiable specimen of another individual for any purpose other than that relevant to the proceeding regarding parentage without a court order or the written permission of the individual who furnished the specimen is guilty of a misdemeanor.*

**Sec. 75.** *A civil proceeding may be maintained to adjudicate the parentage of a child. The proceeding is governed by the Nevada Rules of Civil Procedure.*



**Sec. 76.** *Subject to sections 36 to 49, inclusive, 81 and 83 of this act, a proceeding to adjudicate parentage may be maintained by:*

- 1. The child;*
- 2. The mother of the child;*
- 3. A man whose paternity of the child is to be adjudicated;*
- 4. The support-enforcement agency or any other governmental agency authorized by other law;*
- 5. An authorized adoption agency or licensed child-placing agency;*
- 6. A representative authorized by law to act for an individual who would otherwise be entitled to maintain a proceeding but who is deceased, incapacitated or a minor; or*
- 7. An intended parent under sections 105 to 113, inclusive, of this act.*

**Sec. 77.** *A man whose paternity of the child is to be adjudicated must be joined as a party in a proceeding to adjudicate parentage. The mother of the child must, whenever it is reasonably possible, be joined as a party in a proceeding to adjudicate parentage.*

**Sec. 78.** *1. An individual may not be adjudicated to be a parent unless the court has personal jurisdiction over the individual.*

*2. A court of this State having jurisdiction to adjudicate parentage may exercise personal jurisdiction over a nonresident individual, or the guardian or conservator of the individual, if the conditions prescribed in NRS 130.201 are fulfilled.*

*3. Lack of jurisdiction over one individual does not preclude the court from making an adjudication of parentage binding on another individual over whom the court has personal jurisdiction.*

**Sec. 79.** *Venue for a proceeding to adjudicate parentage is in the county of this State in which:*

- 1. The child resides or is found;*
- 2. The respondent resides or is found if the child does not reside in this State; or*
- 3. A proceeding for probate or administration of the presumed or alleged father's estate has been commenced.*

**Sec. 80.** *A proceeding to adjudicate the parentage of a child having no presumed, acknowledged or adjudicated father may be commenced at any time, even after:*

- 1. The child becomes an adult, but only if the child initiates the proceeding; or*
- 2. An earlier proceeding to adjudicate paternity has been dismissed based on the application of a statute of limitation then in effect.*





1     **Sec. 81. 1.** *Except as otherwise provided in subsection 2, a*  
2 *proceeding brought by a presumed father, the mother or another*  
3 *individual to adjudicate the parentage of a child having a*  
4 *presumed father must be commenced not later than 2 years after*  
5 *the birth of the child.*

6     2. *A proceeding seeking to disprove the father-child*  
7 *relationship between a child and the child's presumed father may*  
8 *be maintained at any time if the court determines that:*

9     (a) *The presumed father and the mother of the child neither*  
10 *cohabited nor engaged in sexual intercourse with each other*  
11 *during the probable time of conception; and*

12     (b) *The presumed father never openly held out the child as his*  
13 *own.*

14     **Sec. 82. 1.** *In a proceeding to adjudicate the parentage of a*  
15 *child having a presumed father or to challenge the paternity of*  
16 *a child having an acknowledged father, the court may deny a*  
17 *motion seeking an order for genetic testing of the mother, the*  
18 *child and the presumed or acknowledged father if the court*  
19 *determines that:*

20     (a) *The conduct of the mother or the presumed or*  
21 *acknowledged father estops that party from denying parentage;*  
22 *and*

23     (b) *It would be inequitable to disprove the father-child*  
24 *relationship between the child and the presumed or acknowledged*  
25 *father.*

26     2. *In determining whether to deny a motion seeking an order*  
27 *for genetic testing under this section, the court shall consider the*  
28 *best interest of the child, including the following factors:*

29     (a) *The length of time between the proceeding to adjudicate*  
30 *parentage and the time that the presumed or acknowledged father*  
31 *was placed on notice that he might not be the genetic father;*

32     (b) *The length of time during which the presumed or*  
33 *acknowledged father has assumed the role of father of the child;*

34     (c) *The facts surrounding the presumed or acknowledged*  
35 *father's discovery of his possible nonpaternity;*

36     (d) *The nature of the relationship between the child and the*  
37 *presumed or acknowledged father;*

38     (e) *The age of the child;*

39     (f) *The harm that may result to the child if presumed or*  
40 *acknowledged paternity is successfully disproved;*

41     (g) *The nature of the relationship between the child and any*  
42 *alleged father;*

43     (h) *The extent to which the passage of time reduces the*  
44 *chances of establishing the paternity of another man and a child*  
45 *support obligation in favor of the child; and*



(i) *Other factors that may affect the equities arising from the disruption of the father-child relationship between the child and the presumed or acknowledged father or the chance of other harm to the child.*

3. *In a proceeding involving the application of this section, a minor or incapacitated child must be represented by a guardian ad litem.*

4. *Denial of a motion seeking an order for genetic testing must be based on clear and convincing evidence.*

5. *If the court denies a motion seeking an order for genetic testing, it shall issue an order adjudicating the presumed or acknowledged father to be the father of the child.*

**Sec. 83.** 1. *If a child has an acknowledged father, a signatory to the acknowledgment of paternity or denial of paternity may commence a proceeding seeking to rescind the acknowledgement or denial or challenge the paternity of the child only within the time allowed under section 42 or 43 of this act.*

2. *If a child has an acknowledged father or adjudicated father, an individual, other than the child, who is neither a signatory to the acknowledgment of paternity nor a party to the adjudication and who seeks an adjudication of paternity of the child must commence a proceeding not later than 2 years after the effective date of the acknowledgment or adjudication.*

3. *A proceeding under this section is subject to the application of the principles of estoppel established in section 82 of this act.*

**Sec. 84.** 1. *Except as otherwise provided in subsection 2, a proceeding to adjudicate parentage may be joined with a proceeding for adoption, termination of parental rights, child custody or visitation, child support, divorce, annulment, separate maintenance, probate or administration of an estate or other appropriate proceeding.*

2. *A respondent may not join a proceeding described in subsection 1 with a proceeding to adjudicate parentage brought under NRS 130.0902 to 130.802, inclusive.*

**Sec. 85.** *A proceeding to determine parentage may be commenced before the birth of the child, but may not be concluded until after the birth of the child. The following actions may be taken before the birth of the child:*

1. *Service of process;*

2. *Discovery; and*

3. *Except as otherwise prohibited by section 65 of this act, collection of specimens for genetic testing.*



1     **Sec. 86. 1.** *A minor child is a permissible party, but is not a*  
2 *necessary party to a proceeding under sections 75 to 97, inclusive,*  
3 *of this act.*

4     **2.** *The court shall appoint a guardian ad litem to represent a*  
5 *minor or incapacitated child if the child is a party or the court*  
6 *finds that the interests of the child are not adequately represented.*

7     **Sec. 87. 1.** *Except as otherwise provided in subsection 3, a*  
8 *record of a genetic-testing expert is admissible as evidence of the*  
9 *truth of the facts asserted in the report unless a party objects to its*  
10 *admission within 14 days after its receipt by the objecting party*  
11 *and cites specific grounds for exclusion. The admissibility of the*  
12 *report is not affected by whether the testing was performed:*

13     **(a)** *Voluntarily or pursuant to an order of the court or a*  
14 *support-enforcement agency; or*

15     **(b)** *Before or after the commencement of the proceeding.*

16     **2.** *A party objecting to the results of genetic testing may call*  
17 *one or more genetic-testing experts to testify in person or by*  
18 *telephone, videoconference, deposition or another method*  
19 *approved by the court. Unless otherwise ordered by the court, the*  
20 *party offering the testimony bears the expense for the expert*  
21 *testifying.*

22     **3.** *If a child has a presumed, acknowledged or adjudicated*  
23 *father, the results of genetic testing are inadmissible to adjudicate*  
24 *parentage unless performed:*

25     **(a)** *With the consent of both the mother and the presumed,*  
26 *acknowledged or adjudicated father; or*

27     **(b)** *Pursuant to an order of the court under section 65 of this*  
28 *act.*

29     **4.** *Copies of bills for genetic testing and for prenatal and*  
30 *postnatal health care for the mother and child which are*  
31 *furnished to the adverse party not less than 10 days before the date*  
32 *of a hearing are admissible to establish:*

33     **(a)** *The amount of the charges billed; and*

34     **(b)** *That the charges were reasonable, necessary and*  
35 *customary.*

36     **Sec. 88. 1.** *An order for genetic testing is enforceable by*  
37 *contempt.*

38     **2.** *If an individual whose paternity is being determined*  
39 *declines to submit to genetic testing ordered by the court, the court*  
40 *for that reason may adjudicate parentage contrary to the position*  
41 *of that individual.*

42     **3.** *Genetic testing of the mother of a child is not a condition*  
43 *precedent to testing the child and a man whose paternity is being*  
44 *determined. If the mother is unavailable or declines to submit to*



1 *genetic testing, the court may order the testing of the child and*  
2 *every man whose paternity is being adjudicated.*

3 **Sec. 89.** 1. *A respondent in a proceeding to adjudicate*  
4 *parentage may admit to the paternity of a child by filing a pleading*  
5 *to that effect or by admitting paternity under penalty of perjury*  
6 *when making an appearance or during a hearing.*

7 2. *If the court finds that the admission of paternity satisfies*  
8 *the requirements of this section and finds that there is no reason*  
9 *to question the admission, the court shall issue an order*  
10 *adjudicating the child to be the child of the man admitting*  
11 *paternity.*

12 **Sec. 90.** 1. *In a proceeding under sections 75 to 97,*  
13 *inclusive, of this act, the court shall issue a temporary order for*  
14 *support of a child if the order is appropriate and the individual*  
15 *ordered to pay support is:*

16 (a) *A presumed father of the child;*

17 (b) *Petitioning to have his paternity adjudicated;*

18 (c) *Identified as the father through genetic testing under*  
19 *section 68 of this act;*

20 (d) *An alleged father who has declined to submit to genetic*  
21 *testing;*

22 (e) *Shown by clear and convincing evidence to be the father of*  
23 *the child; or*

24 (f) *The mother of the child.*

25 2. *A temporary order may include provisions for custody and*  
26 *visitation as provided by other law of this State.*

27 **Sec. 91.** *The court shall apply the following rules to*  
28 *adjudicate the paternity of a child:*

29 1. *The paternity of a child having a presumed, acknowledged*  
30 *or adjudicated father may be disproved only by admissible results*  
31 *of genetic testing excluding that man as the father of the child or*  
32 *identifying another man as the father of the child.*

33 2. *Unless the results of genetic testing are admitted to rebut*  
34 *other results of genetic testing, a man identified as the father of a*  
35 *child under section 68 of this act must be adjudicated the father of*  
36 *the child.*

37 3. *If the court finds that genetic testing under section 68 of*  
38 *this act neither identifies nor excludes a man as the father of a*  
39 *child, the court may not dismiss the proceeding. In that event, the*  
40 *results of genetic testing, and other evidence, are admissible to*  
41 *adjudicate the issue of paternity.*

42 4. *Unless the results of genetic testing are admitted to rebut*  
43 *other results of genetic testing, a man excluded as the father of a*  
44 *child by genetic testing must be adjudicated not to be the father of*  
45 *the child.*



1     **Sec. 92.** *The court, without a jury, shall adjudicate paternity*  
2 *of a child.*

3     **Sec. 93.** *1. On request of a party and for good cause shown,*  
4 *the court may close a proceeding under sections 75 to 97,*  
5 *inclusive, of this act.*

6     *2. A final order in a proceeding under sections 75 to 97,*  
7 *inclusive, of this act is available for public inspection. Other*  
8 *papers and records are available only with the consent of the*  
9 *parties or on order of the court for good cause.*

10    **Sec. 94.** *The court shall issue an order adjudicating the*  
11 *paternity of a man who:*

12     *1. After service of process, is in default; and*

13     *2. Is found by the court to be the father of a child.*

14    **Sec. 95.** *The court may issue an order dismissing a*  
15 *proceeding commenced under sections 3 to 114, inclusive, of this*  
16 *act for want of prosecution only without prejudice. An order of*  
17 *dismissal for want of prosecution purportedly with prejudice is*  
18 *void and has only the effect of a dismissal without prejudice.*

19    **Sec. 96.** *1. The court shall issue an order adjudicating*  
20 *whether a man alleged or claiming to be the father is the parent of*  
21 *the child.*

22     *2. An order adjudicating parentage must identify the child by*  
23 *name and date of birth.*

24     *3. Except as otherwise provided in subsection 4, the court*  
25 *may assess filing fees, reasonable attorney's fees, fees for genetic*  
26 *testing, other costs and necessary travel and other reasonable*  
27 *expenses incurred in a proceeding under sections 75 to 97,*  
28 *inclusive, of this act. The court may award attorney's fees, which*  
29 *may be paid directly to the attorney, who may enforce the order in*  
30 *the attorney's own name.*

31     *4. The court may not assess fees, costs or expenses against*  
32 *the support-enforcement agency of this State or another state,*  
33 *except as provided by other law.*

34     *5. On request of a party and for good cause shown, the court*  
35 *may order that the name of the child be changed.*

36     *6. If the order of the court is at variance with the child's birth*  
37 *certificate, the court shall order the State Registrar of Vital*  
38 *Statistics to issue a new birth certificate.*

39    **Sec. 97.** *1. Except as otherwise provided in subsection 2, a*  
40 *determination of parentage is binding on:*

41     *(a) All signatories to an acknowledgement or denial of*  
42 *paternity as provided in sections 36 to 49, inclusive, of this act;*  
43 *and*



1     ***(b) All parties to an adjudication by a court acting under***  
2     ***circumstances that satisfy the jurisdictional requirements of***  
3     ***NRS 130.201.***

4     ***2. A child is not bound by a determination of parentage under***  
5     ***sections 3 to 114, inclusive, of this act unless:***

6     ***(a) The determination was based on an unrescinded***  
7     ***acknowledgment of paternity and the acknowledgement is***  
8     ***consistent with the results of genetic testing;***

9     ***(b) The adjudication of parentage was based on a finding***  
10    ***consistent with the results of genetic testing and the consistency is***  
11    ***declared in the determination or is otherwise shown; or***

12    ***(c) The child was a party or was represented in the proceeding***  
13    ***determining parentage by a guardian ad litem.***

14    ***3. In a proceeding to dissolve a marriage, the court is deemed***  
15    ***to have made an adjudication of the parentage of a child if the***  
16    ***court acts under circumstances that satisfy the jurisdictional***  
17    ***requirements of NRS 130.201, and the final order:***

18    ***(a) Expressly identifies a child as a "child of the marriage,"***  
19    ***"issue of the marriage" or similar words indicating that the***  
20    ***husband is the father of the child; or***

21    ***(b) Provides for support of the child by the husband unless***  
22    ***paternity is specifically disclaimed in the order.***

23    ***4. Except as otherwise provided in subsection 2, a***  
24    ***determination of parentage may be a defense in a subsequent***  
25    ***proceeding seeking to adjudicate parentage by an individual who***  
26    ***was not a party to the earlier proceeding.***

27    ***5. A party to an adjudication of paternity may challenge the***  
28    ***adjudication only under the law of this State relating to appeal,***  
29    ***vacation of judgments or other judicial review.***

30    ***Sec. 98. Sections 98 to 104, inclusive, of this act do not apply***  
31    ***to the birth of a child conceived by means of sexual intercourse or***  
32    ***as the result of a gestational agreement as provided in sections 105***  
33    ***to 113, inclusive, of this act.***

34    ***Sec. 99. A donor is not a parent of a child conceived by***  
35    ***means of assisted reproduction.***

36    ***Sec. 100. A man who provides sperm for, or consents to,***  
37    ***assisted reproduction by a woman as provided in section 101 of***  
38    ***this act with the intent to be the parent of her child is a parent of***  
39    ***the resulting child.***

40    ***Sec. 101. 1. Consent by a woman and a man who intends to***  
41    ***be a parent of a child born to the woman by assisted reproduction***  
42    ***must be in a record signed by the woman and the man. This***  
43    ***requirement does not apply to a donor.***

44    ***2. The failure of a man to sign a consent required by***  
45    ***subsection 1, before or after the birth of the child, does not***



1 *preclude a finding of paternity if the woman and the man, during*  
2 *the first 2 years of the child's life, resided together in the same*  
3 *household with the child and openly held out the child as their*  
4 *own.*

5 **Sec. 102.** 1. *Except as otherwise provided in subsection 2,*  
6 *the husband of a wife who gives birth to a child by means of*  
7 *assisted reproduction may not challenge his paternity of the child*  
8 *unless:*

9 (a) *Within 2 years after learning of the birth of the child, he*  
10 *commences a proceeding to adjudicate his paternity; and*

11 (b) *The court finds that he did not consent to the assisted*  
12 *reproduction, before or after the birth of the child.*

13 2. *A proceeding to adjudicate paternity may be maintained at*  
14 *any time if the court determines that:*

15 (a) *The husband did not provide sperm for, or before or after*  
16 *the birth of the child consent to, assisted reproduction by his wife;*

17 (b) *The husband and the mother of the child have not*  
18 *cohabited since the probable time of assisted reproduction; and*

19 (c) *The husband never openly held out the child as his own.*

20 3. *The limitation provided in this section applies to a*  
21 *marriage declared invalid after assisted reproduction.*

22 **Sec. 103.** 1. *If a marriage is dissolved before placement of*  
23 *eggs, sperm or embryos, the former spouse is not a parent of the*  
24 *resulting child unless the former spouse consented in a record that*  
25 *if assisted reproduction were to occur after the dissolution of the*  
26 *marriage, the former spouse would be a parent of the child.*

27 2. *The consent of a woman or a man to assisted reproduction*  
28 *may be withdrawn by that individual in a record at any time before*  
29 *placement of eggs, sperm or embryos. An individual who*  
30 *withdraws consent under this section is not a parent of the*  
31 *resulting child.*

32 **Sec. 104.** *If an individual who consented in a record to be a*  
33 *parent by assisted reproduction dies before placement of eggs,*  
34 *sperm or embryos, the deceased individual is not a parent of the*  
35 *resulting child unless the deceased individual consented in a*  
36 *record that if assisted reproduction were to occur after death, the*  
37 *deceased individual would be a parent of the child.*

38 **Sec. 105.** 1. *A prospective gestational mother, her husband*  
39 *if she is married, a donor or the donors and the intended parents*  
40 *may enter into a written agreement providing that:*

41 (a) *The prospective gestational mother agrees to pregnancy by*  
42 *means of assisted reproduction;*

43 (b) *The prospective gestational mother, her husband if she is*  
44 *married and the donors relinquish all rights and duties as the*  
45 *parents of a child conceived through assisted reproduction; and*





(c) *The intended parents become the parents of the child.*

2. *The man and the woman who are the intended parents must both be parties to the gestational agreement.*

3. *A gestational agreement is enforceable only if validated as provided in section 107 of this act.*

4. *A gestational agreement does not apply to the birth of a child conceived by means of sexual intercourse.*

5. *A gestational agreement may provide for payment of consideration.*

6. *A gestational agreement may not limit the right of the gestational mother to make decisions to safeguard her health or that of the embryos or fetus.*

**Sec. 106.** 1. *The intended parents and the prospective gestational mother may commence a proceeding in district court to validate a gestational agreement.*

2. *A proceeding to validate a gestational agreement may not be maintained unless:*

(a) *The mother or the intended parents have been residents of this State for at least 90 days;*

(b) *The prospective gestational mother's husband, if she is married, is joined in the proceeding; and*

(c) *A copy of the gestational agreement is attached to the petition.*

**Sec. 107.** 1. *If the requirements of subsection 2 are satisfied, a court may issue an order validating the gestational agreement and declaring that the intended parents will be the parents of a child born during the term of the agreement.*

2. *The court may issue an order under subsection 1 only on finding that:*

(a) *The residence requirements of section 106 of this act have been satisfied and the parties have submitted to the jurisdiction of the court under the jurisdictional standards of sections 3 to 114, inclusive, of this act;*

(b) *Unless waived by the court, the agency which provides child welfare services has made a home study of the intended parents and the intended parents meet the standards of suitability applicable to adoptive parents;*

(c) *All parties have voluntarily entered into the agreement and understand its terms;*

(d) *Adequate provision has been made for all reasonable health care expenses associated with the gestational agreement until the birth of the child, including, without limitation, responsibility for those expenses if the agreement is terminated; and*



1     (e) *The consideration, if any, paid to the prospective*  
2 *gestational mother is reasonable.*

3     **Sec. 108.** *The proceedings, records and identities of the*  
4 *individual parties to a gestational agreement under sections 105 to*  
5 *113, inclusive, of this act are subject to inspection under the*  
6 *standards of confidentiality applicable to adoptions as provided*  
7 *under other law of this State.*

8     **Sec. 109.** *Subject to the jurisdictional standards of NRS*  
9 *130.201, the court conducting a proceeding under sections 105 to*  
10 *113, inclusive, of this act has exclusive, continuing jurisdiction of*  
11 *all matters arising out of the gestational agreement until a child*  
12 *born to the gestational mother during the period governed by the*  
13 *agreement attains the age of 180 days.*

14     **Sec. 110.** 1. *After issuance of an order under sections 105*  
15 *to 113, inclusive, of this act, but before the prospective gestational*  
16 *mother becomes pregnant by means of assisted reproduction, the*  
17 *prospective gestational mother, her husband or either of the*  
18 *intended parents may terminate the gestational agreement by*  
19 *giving written notice of termination to all other parties.*

20     2. *The court for good cause shown may terminate the*  
21 *gestational agreement.*

22     3. *An individual who terminates a gestational agreement*  
23 *shall file notice of the termination with the court. On receipt of the*  
24 *notice, the court shall vacate the order issued under sections 105*  
25 *to 113, inclusive, of this act. An individual who does not notify the*  
26 *court of the termination of the agreement is subject to appropriate*  
27 *sanctions.*

28     4. *Neither a prospective gestational mother nor her husband,*  
29 *if any, is liable to the intended parents for terminating a*  
30 *gestational agreement pursuant to this section.*

31     **Sec. 111.** 1. *Upon birth of a child to a gestational mother,*  
32 *the intended parents shall file notice with the court that a child*  
33 *has been born to the gestational mother within 300 days after*  
34 *assisted reproduction. Thereupon, the court shall issue an order:*

35     (a) *Confirming that the intended parents are the parents of the*  
36 *child;*

37     (b) *If necessary, ordering that the child be surrendered to the*  
38 *intended parents; and*

39     (c) *Directing the State Registrar of Vital Statistics to issue a*  
40 *birth certificate naming the intended parents as the parents of the*  
41 *child.*

42     2. *If the parentage of a child born to a gestational mother is*  
43 *alleged not to be the result of assisted reproduction, the court shall*  
44 *order genetic testing to determine the parentage of the child.*



3. *If the intended parents fail to file notice required under subsection 1, the gestational mother or the agency which provides child welfare services may file notice with the court that a child has been born to the gestational mother within 300 days after assisted reproduction. Upon proof of a court order issued pursuant to section 107 of this act validating the gestational agreement, the court shall order the intended parents are the parents of the child and are financially responsible for the child.*

**Sec. 112.** *After the issuance of an order under sections 105 to 113, inclusive, of this act, subsequent marriage of the gestational mother does not affect the validity of a gestational agreement, her husband's consent to the agreement is not required and her husband is not a presumed father of the resulting child.*

**Sec. 113.** *1. A gestational agreement, whether in a record or not, that is not judicially validated is not enforceable.*

*2. If a birth results under a gestational agreement that is not judicially validated as provided in sections 105 to 113, inclusive, of this act, the parent-child relationship is determined as provided in sections 32 to 36, inclusive, of this act.*

*3. Individuals who are parties to a nonvalidated gestational agreement as intended parents may be held liable for support of the resulting child, even if the agreement is otherwise unenforceable. The liability under this subsection includes assessing all expenses and fees as provided in section 96 of this act.*

**Sec. 114.** *In applying and construing the Uniform Parentage Act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.*

**Sec. 115.** NRS 126.021 is hereby amended to read as follows:  
126.021 As used in this ~~[chapter,]~~ *section and NRS 126.031 and 126.291 to 126.331, inclusive,* unless the context otherwise requires:

1. "Custodial parent" means the parent of a child born out of wedlock who has been awarded physical custody of the child or, if no award of physical custody has been made by a court, the parent with whom the child resides.

2. "Nonsupporting parent" means the parent of a child born out of wedlock who has failed to provide an equitable share of his child's necessary maintenance, education and support.

~~[3. "Parent and child relationship" means the legal relationship existing between a child and his natural or adoptive parents incident to which the law confers or imposes rights, privileges, duties and~~



~~obligations. It includes the mother and child relationship and the father and child relationship.]~~

**Sec. 116.** NRS 126.031 is hereby amended to read as follows:

126.031 1. ~~[The parent and child relationship extends equally to every child and to every parent, regardless of the marital status of the parents.~~

~~—2.]~~ Except as otherwise provided in a court order for the custody of a child:

(a) Except as otherwise provided in paragraph (b), the mother of a child born out of wedlock has primary physical custody of the child if ~~[-~~:

~~—(1) The mother has not married the father of the child; and~~

~~—(2) A judgment or order of a court, or a judgment or order entered pursuant to an expedited process, determining the paternity of the child has not been entered.]~~ *the child does not have a presumed father, acknowledged father or adjudicated father.*

(b) The father of a child born out of wedlock has primary physical custody of the child if:

(1) The mother has abandoned the child to the custody of the father; and

(2) The father has provided sole care and custody of the child in her absence.

~~[3.]~~ 2. For the purposes of this section, “abandoned” means failed, for a continuous period of not less than 6 weeks, to provide substantial personal and economic support.

~~[4. As used in this section, “expedited process” has the meaning ascribed to it in NRS 126.161.]~~

**Sec. 117.** NRS 126.291 is hereby amended to read as follows:

126.291 1. Proceedings to compel support by a nonsupporting parent may be brought in accordance with this chapter. They are not exclusive of other proceedings. The court may assess the usual filing fees, charges or court costs against the nonsupporting parent and shall enforce their collection with the other provisions of the judgment.

2. Except as otherwise provided in this subsection, when the district attorney is requested to bring an action to compel support or an action to determine paternity, he may charge the requester a fee of not more than \$20 for an application. This fee may not be assessed against:

(a) The State of Nevada when acting as a party to an action brought pursuant to this chapter.

(b) Any person or agency requesting services pursuant to chapter 130 of NRS.

3. If the court finds that a ~~[parent and child]~~ *parent-child* relationship exists, it may assess against the nonsupporting parent,



1 in addition to any support obligation ordered a reasonable collection  
2 fee. If the court finds that the nonsupporting parent would  
3 experience a financial hardship if required to pay the fee  
4 immediately, it may order that the fee be paid in installments, each  
5 of which is not more than 25 percent of the support obligation for  
6 each month.

7 4. All fees collected pursuant to this section must be deposited  
8 in the general fund of the county, and an equivalent amount must be  
9 allocated to augment the county's program for the enforcement of  
10 support obligations.

11 **Sec. 118.** NRS 127.287 is hereby amended to read as follows:

12 127.287 1. Except as otherwise provided in subsection 3, it is  
13 unlawful for any person to pay or offer to pay money or anything of  
14 value to the natural parent of a child in return for the natural parent's  
15 placement of the child for adoption or consent to or cooperation in  
16 the adoption of the child.

17 2. It is unlawful for any person to receive payment for medical  
18 and other necessary expenses related to the birth of a child from a  
19 prospective adoptive parent with the intent of not consenting to or  
20 completing the adoption of the child.

21 3. A person may pay the medical and other necessary living  
22 expenses related to the birth of a child of another as an act of charity  
23 so long as the payment is not contingent upon the natural parent's  
24 placement of the child for adoption or consent to or cooperation in  
25 the adoption of the child.

26 4. This section does not prohibit a natural parent from refusing  
27 to place a child for adoption after its birth.

28 5. The provisions of this section do not apply if a woman  
29 enters into a ~~lawful contract to act as a surrogate, be inseminated~~  
30 ~~and give birth to the child of a man who is not her husband.]~~  
31 *gestational agreement pursuant to the provisions of sections 105 to*  
32 *113, inclusive, of this act.*

33 **Sec. 119.** (Deleted by amendment.)

34 **Sec. 120.** NRS 200.359 is hereby amended to read as follows:

35 200.359 1. A person having a limited right of custody to a  
36 child by operation of law or pursuant to an order, judgment or  
37 decree of any court, including a judgment or decree which grants  
38 another person rights to custody or visitation of the child, or any  
39 parent having no right of custody to the child, who:

40 (a) In violation of an order, judgment or decree of any court  
41 willfully detains, conceals or removes the child from a parent,  
42 guardian or other person having lawful custody or a right of  
43 visitation of the child; or

44 (b) In the case of an order, judgment or decree of any court that  
45 does not specify when the right to physical custody or visitation is to



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1 be exercised, removes the child from the jurisdiction of the court  
2 without the consent of either the court or all persons who have the  
3 right to custody or visitation,  
4 ➤ is guilty of a category D felony and shall be punished as provided  
5 in NRS 193.130.

6 2. A parent who has joint legal custody of a child pursuant to  
7 NRS 125.465 shall not willfully conceal or remove the child from  
8 the custody of the other parent with the specific intent to deprive the  
9 other parent of the parent and child relationship. A person who  
10 violates this subsection shall be punished as provided in  
11 subsection 1.

12 3. If the mother of a child has primary physical custody  
13 pursuant to ~~subsection 2 of~~ NRS 126.031, the father of the child  
14 shall not willfully conceal or remove the child from the physical  
15 custody of the mother. If the father of a child has primary physical  
16 custody pursuant to ~~subsection 2 of~~ NRS 126.031, the mother of  
17 the child shall not willfully conceal or remove the child from the  
18 physical custody of the father. A person who violates this subsection  
19 shall be punished as provided in subsection 1.

20 4. Before an arrest warrant may be issued for a violation of this  
21 section, the court must find that:

22 (a) This is the home state of the child, as defined in NRS  
23 125A.085; and

24 (b) There is cause to believe that the entry of a court order in a  
25 civil proceeding brought pursuant to chapter 125, 125A or 125C of  
26 NRS will not be effective to enforce the rights of the parties and  
27 would not be in the best interests of the child.

28 5. Upon conviction for a violation of this section, the court  
29 shall order the defendant to pay restitution for any expenses incurred  
30 in locating or recovering the child.

31 6. The prosecuting attorney may recommend to the judge that  
32 the defendant be sentenced as for a misdemeanor and the judge may  
33 impose such a sentence if he finds that:

34 (a) The defendant has no prior conviction for this offense and  
35 the child has suffered no substantial harm as a result of the offense;  
36 or

37 (b) The interests of justice require that the defendant be  
38 punished as for a misdemeanor.

39 7. A person who aids or abets any other person to violate this  
40 section shall be punished as provided in subsection 1.

41 8. This section does not apply to a person who detains,  
42 conceals or removes a child to protect the child from the imminent  
43 danger of abuse or neglect or to protect himself from imminent  
44 physical harm, and reported the detention, concealment or removal  
45 to a law enforcement agency or an agency which provides child



1 welfare services within 24 hours after detaining, concealing or  
2 removing the child, or as soon as the circumstances allowed. As  
3 used in this subsection:

4 (a) "Abuse or neglect" has the meaning ascribed to it in  
5 paragraph (a) of subsection 4 of NRS 200.508.

6 (b) "Agency which provides child welfare services" has the  
7 meaning ascribed to it in NRS 432B.030.

8 **Sec. 121.** NRS 422A.585 is hereby amended to read as  
9 follows:

10 422A.585 1. The Division shall, within the limitations of  
11 available funding, establish a program which promotes the self-  
12 sufficiency of a natural father whose paternity is presumed pursuant  
13 to ~~NRS 126.051~~ *section 35 of this act* or a noncustodial parent of a  
14 child for whom benefits are being received by a household.

15 2. If a natural father whose paternity is presumed pursuant to  
16 ~~NRS 126.051~~ *section 35 of this act* or a noncustodial parent of a  
17 child for whom benefits are being received by a household chooses  
18 to participate in the program established pursuant to subsection 1,  
19 the Division may, within the limitations of available funding,  
20 increase the amount of benefits provided to the head of the  
21 household on behalf of the child.

22 **Sec. 122.** NRS 440.280 is hereby amended to read as follows:

23 440.280 1. If a birth occurs in a hospital or the mother and  
24 child are immediately transported to a hospital, the person in charge  
25 of the hospital or his designated representative shall obtain the  
26 necessary information, prepare a birth certificate, secure the  
27 signatures required by the certificate and file it within 10 days with  
28 the health officer of the registration district where the birth occurred.  
29 The physician in attendance shall provide the medical information  
30 required by the certificate and certify to the fact of birth within 72  
31 hours after the birth. If the physician does not certify to the fact of  
32 birth within the required 72 hours, the person in charge of the  
33 hospital or his designated representative shall complete and sign the  
34 certification.

35 2. If a birth occurs outside a hospital and the mother and child  
36 are not immediately transported to a hospital, the birth certificate  
37 must be prepared and filed by one of the following persons in the  
38 following order of priority:

39 (a) The physician in attendance at or immediately after the birth.

40 (b) Any other person in attendance at or immediately after the  
41 birth.

42 (c) The father, mother or, if the father is absent and the mother is  
43 incapacitated, the person in charge of the premises where the birth  
44 occurred.



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3. If a birth occurs in a moving conveyance, the place of birth is the place where the child is removed from the conveyance.

4. In cities, the certificate of birth must be filed sooner than 10 days after the birth if so required by municipal ordinance or regulation.

5. If the mother was:

(a) Married at the time of birth, the name of her husband must be entered on the certificate as the father of the child unless:

(1) A court has issued an order establishing that a person other than the mother's husband is the father of the child; or

(2) *The mother's husband has signed a valid form for the denial of paternity pursuant to section 38 of this act and the mother and a person other than the mother's husband have signed ~~[an affidavit]~~ a valid form* for the voluntary acknowledgment of paternity ~~[developed by the Board]~~ pursuant to ~~[NRS 440.283.] sections 36 and 37 of this act.~~

(b) Widowed at the time of birth ~~[but married at the time of conception.] and the child has a presumed father,~~ the name of ~~her husband at the time of conception]~~ *the presumed father* must be entered on the certificate as the father of the child unless:

(1) A court has issued an order establishing that a person other than the mother's husband at the time of conception is the father of the child; or

(2) ~~[The]~~ *Before his death, the mother's husband signed a valid form for the denial of paternity pursuant to section 38 of this act and the* mother and a person other than the mother's husband at the time of conception have signed ~~[an affidavit]~~ *a valid form* for the voluntary acknowledgment of paternity ~~[developed by the Board]~~ pursuant to ~~[NRS 440.283.] sections 36 and 37 of this act.~~

6. If the mother was unmarried at the time of birth, the name of the father may be entered on the original certificate of birth only if:

(a) The provisions of paragraph (b) of subsection 5 are applicable;

(b) A court has issued an order establishing that the person is the father of the child; or

(c) *The presumed father of the child, if any, has signed a valid denial of paternity pursuant to section 38 of this act and the* mother and father of the child have signed ~~[an affidavit]~~ *a valid form* for the voluntary acknowledgment of paternity ~~[developed by the Board]~~ pursuant to ~~[NRS 440.283.] sections 36 and 37 of this act.~~ If both the father and mother execute an affidavit consenting to the use of the surname of the father as the surname of the child, the name of the father must be entered on the original certificate of birth and the surname of the father must be entered thereon as the surname of the child.



7. An order entered or *a form or* an affidavit executed pursuant to subsection 6 must be submitted to the local health officer, his authorized representative, or the attending physician or midwife before a proper certificate of birth is forwarded to the State Registrar. The order, *form* or affidavit must then be delivered to the State Registrar for filing. The State Registrar's file of orders, *forms* and affidavits must be sealed, and the contents of the file may be examined only upon order of a court of competent jurisdiction or at the request of the father or mother or the Division of Welfare and Supportive Services of the Department of Health and Human Services as necessary to carry out the provisions of 42 U.S.C. § 654a. The local health officer shall complete the original certificate of birth in accordance with subsection 6 and other provisions of this chapter.

8. As used in this section ~~["court"]~~ :

(a) *"Court"* has the meaning ascribed to it in NRS 125B.004.

(b) *"Presumed father" has the meaning ascribed to it in section 22 of this act.*

**Sec. 123.** NRS 440.283 is hereby amended to read as follows:  
440.283 1. The Board shall:

(a) ~~Develop an affidavit~~ *Pursuant to section 47 of this act, prescribe forms* for the voluntary acknowledgment *and denial* of paternity in this State that complies with the requirements prescribed by the Secretary of Health and Human Services pursuant to 42 U.S.C. § 652(a); and

(b) Distribute the ~~affidavits~~ *forms* to:

(1) Each hospital or obstetric center in this State; and

(2) Any other entity authorized to provide services relating to the voluntary acknowledgment of paternity pursuant to the regulations adopted by the Secretary of Health and Human Services pursuant to 42 U.S.C. § 666(a)(5)(C).

2. Subject to the provisions of subsection 3, the State Registrar of Vital Statistics and the entities described in paragraph (b) of subsection 1 shall offer to provide services relating to the voluntary acknowledgment of paternity in the manner prescribed in the regulations adopted by the Secretary of Health and Human Services pursuant to 42 U.S.C. § 666(a)(5)(C).

3. Before providing ~~an affidavit~~ *a form* for the acknowledgment of paternity to the mother of a child or a person who wishes to acknowledge the paternity of the child, the agencies described in paragraph (b) of subsection 1 shall ensure that the mother and the person who wishes to acknowledge paternity are given notice, orally and in writing, of the rights, responsibilities and legal consequences of, and the alternatives to, signing the ~~affidavit~~ *form* for the acknowledgment of paternity.



1     **Sec. 124.** NRS 440.325 is hereby amended to read as follows:  
2     440.325 1. In the case of the paternity of a child being  
3 established by the:

4     (a) Mother and father acknowledging paternity of a child by  
5 signing ~~{an—affidavit}~~ *a valid form* for the voluntary  
6 acknowledgment of paternity ~~{developed by the Board}~~ pursuant to  
7 ~~{NRS 440.283;}~~ *sections 36 and 37 of this act;* or

8     (b) Order of a district court,  
9     ➔ the State Registrar, upon the receipt of the ~~{affidavit}~~ *form* or  
10 court order, shall prepare a new certificate of birth in the name of  
11 the child as shown in the ~~{affidavit}~~ *form* or order with no reference  
12 to the fact of legitimation.

13     2. The new certificate must be identical with the certificate  
14 registered for the birth of a child born in wedlock.

15     3. Except as otherwise provided in subsection 4, the evidence  
16 upon which the new certificate was made and the original certificate  
17 must be sealed and filed and may be opened only upon the order of  
18 a court of competent jurisdiction.

19     4. The State Registrar shall, upon the request of the Division of  
20 Welfare and Supportive Services of the Department of Health and  
21 Human Services, open a file that has been sealed pursuant to  
22 subsection 3 to allow the Division to compare the information  
23 contained in the ~~{affidavit}~~ *form* or order upon which the new  
24 certificate was made with the information maintained pursuant to 42  
25 U.S.C. § 654a.

26     **Sec. 125.** NRS 449.246 is hereby amended to read as follows:

27     449.246 1. Before discharging an unmarried woman who has  
28 borne a child, a hospital or obstetric center shall provide to the  
29 child's mother and father:

30     (a) The opportunity to sign, in the hospital, ~~{an affidavit}~~ *a form*  
31 for the voluntary acknowledgment *or denial* of paternity  
32 ~~{developed}~~ *prescribed* pursuant to ~~{NRS 440.283;}~~ *section 47 of*  
33 *this act;*

34     (b) Written materials about establishing paternity;

35     (c) The forms necessary to acknowledge paternity voluntarily;

36     (d) A written description of the rights and responsibilities of  
37 acknowledging paternity; and

38     (e) The opportunity to speak by telephone with personnel of the  
39 program for enforcement of child support who are trained to clarify  
40 information and answer questions about the establishment of  
41 paternity.

42     2. The Administrator of the Division of Welfare and  
43 Supportive Services of the Department of Health and Human  
44 Services shall adopt the regulations necessary to ensure that the  
45 services provided by a hospital or obstetric center pursuant to this



1 section are in compliance with the regulations adopted by the  
2 Secretary of Health and Human Services pursuant to 42 U.S.C. §  
3 666(a)(5)(C).

4 **Sec. 126.** NRS 629.121 is hereby amended to read as follows:

5 629.121 "Genetic test" means *genetic testing, as that term is*  
6 *defined in section 16 of this act, or* a test, including a laboratory  
7 test that uses deoxyribonucleic acid extracted from the cells of a  
8 person or a diagnostic test, to determine the presence of  
9 abnormalities or deficiencies, including carrier status, that:

10 1. Are linked to physical or mental disorders or impairments;  
11 or

12 2. Indicate a susceptibility to illness, disease, impairment or  
13 any other disorder, whether physical or mental.

14 **Sec. 127.** NRS 629.151 is hereby amended to read as follows:

15 629.151 It is unlawful to obtain any genetic information of a  
16 person without first obtaining the informed consent of the person or  
17 the person's legal guardian pursuant to NRS 629.181, unless the  
18 information is obtained:

19 1. By a federal, state, county or city law enforcement agency to  
20 establish the identity of a person or dead human body;

21 2. To determine the parentage or identity of a person pursuant  
22 to NRS 56.020;

23 3. To determine the paternity of a person pursuant to ~~NRS~~  
24 ~~426.121~~ *sections 64 to 74, inclusive, of this act* or NRS 425.384;

25 4. For use in a study where the identities of the persons from  
26 whom the genetic information is obtained are not disclosed to the  
27 person conducting the study;

28 5. To determine the presence of certain preventable or  
29 inheritable disorders in an infant pursuant to NRS 442.008 or a  
30 provision of federal law; or

31 6. Pursuant to an order of a court of competent jurisdiction.

32 **Sec. 128.** NRS 629.171 is hereby amended to read as follows:

33 629.171 It is unlawful to disclose or to compel a person to  
34 disclose the identity of a person who was the subject of a genetic  
35 test or to disclose genetic information of that person in a manner  
36 that allows identification of the person, without first obtaining the  
37 informed consent of that person or his legal guardian pursuant to  
38 NRS 629.181, unless the information is disclosed:

39 1. To conduct a criminal investigation, an investigation  
40 concerning the death of a person or a criminal or juvenile  
41 proceeding;

42 2. To determine the parentage or identity of a person pursuant  
43 to NRS 56.020;

44 3. To determine the paternity of a person pursuant to ~~NRS~~  
45 ~~426.121~~ *sections 64 to 74, inclusive, of this act* or NRS 425.384;



- 1        4. Pursuant to an order of a court of competent jurisdiction;  
2        5. By a physician and is the genetic information of a deceased  
3 person that will assist in the medical diagnosis of persons related to  
4 the deceased person by blood;  
5        6. To a federal, state, county or city law enforcement agency to  
6 establish the identity of a person or dead human body;  
7        7. To determine the presence of certain preventable or  
8 inheritable preventable disorders in an infant pursuant to NRS  
9 442.008 or a provision of federal law; ~~for~~  
10       8. To carry out the provisions of NRS 442.300 to 442.330,  
11 inclusive; *or*  
12       9. By an agency of criminal justice pursuant to NRS 179A.075.  
13       **Sec. 129.** NRS 126.011, 126.041, 126.045, 126.051, 126.053,  
14 126.061, 126.071, 126.081, 126.091, 126.101, 126.105, 126.111,  
15 126.121, 126.131, 126.141, 126.143, 126.151, 126.161, 126.163,  
16 126.171, 126.181, 126.191, 126.193, 126.201, 126.211, 126.221,  
17 126.223, 126.231, 126.371 and 440.287 are hereby repealed.  
18       **Sec. 130.** A proceeding to adjudicate parentage which was  
19 commenced before October 1, 2007, is governed by the law in effect  
20 at the time the proceeding was commenced.

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## LEADLINES OF REPEALED SECTIONS

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- 126.011    **Applicability of chapter.**  
126.041    **Establishment of relationship.**  
126.045    **Contract requirements; treatment of intended  
parents as natural parents; unlawful acts.**  
126.051    **Presumptions of paternity.**  
126.053    **Voluntary acknowledgment of paternity.**  
126.061    **Artificial insemination.**  
126.071    **Who may bring action; when action may be  
brought.**  
126.081    **Period of limitations.**  
126.091    **Jurisdiction; venue.**  
126.101    **Parties.**  
126.105    **Service of process.**  
126.111    **Pretrial hearing; testimony.**  
126.121    **Tests for typing of blood or genetic identification;  
admissibility in court; effect of refusal to submit to test.**  
126.131    **Evidence relating to paternity; evidence of costs of  
certain medical services.**  
126.141    **Pretrial recommendations.**



- 126.143 Order for temporary support of child.
- 126.151 Trial: Applicability of Nevada Rules of Civil Procedure; admissibility of evidence of other sexual contact; without jury.
- 126.161 Contents and effect of judgment or order.
- 126.163 Order issued on or after October 1, 1998: Provision of information by court and parties to action; regulations.
- 126.171 Costs.
- 126.181 Enforcement of judgment or order.
- 126.191 Modification of judgment or order.
- 126.193 Cause of action subsequent to issuance of order: Notice and service of process.
- 126.201 Right to counsel; appointment of counsel by court; free transcript on appeal.
- 126.211 Hearings and records: Confidentiality.
- 126.221 Substitution of certificate of birth.
- 126.223 Entry of default upon failure to plead or defend in action.
- 126.231 Who may bring action; provisions of chapter applicable to action.
- 126.371 Promise to furnish support for child: Enforcement; confidentiality.
- 440.287 Rescission of affidavit for voluntary acknowledgment of paternity.

