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SECOND REPRINT

A.B. 371

ASSEMBLY BILL NO. 371—ASSEMBLYWOMEN COHEN,
BACKUS; AND BILBRAY-AXELROD

MARCH 22, 2023

JOINT SPONSOR: SENATOR OHRENSCHALL

Referred to Committee on Judiciary

SUMMARY—Makes various changes relating to parentage.
(BDR 11-140)

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: No.

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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; adopting provisions of the Uniform Parentage Act; revising provisions relating to the establishment of a parent and child relationship and the presumption of parentage; establishing provisions concerning the voluntary acknowledgment of parentage and denial of parentage by certain persons; authorizing the State Board of Health to adopt regulations relating to an acknowledgment of parentage or denial of parentage; establishing provisions governing genetic testing in proceedings to adjudicate parentage; establishing and revising various provisions relating to proceedings to adjudicate parentage; authorizing a person who claims to be a de facto parent of a child to be adjudicated as a parent of the child in certain circumstances; authorizing a court to adjudicate a child to have more than two parents in certain circumstances; establishing and revising provisions relating to assisted reproduction and gestational agreements; providing for the right of a gestational carrier to make all health care decisions regarding the gestational carrier and the pregnancy of the gestational carrier; repealing various provisions relating to parentage; providing a penalty; and providing other matters properly relating thereto.



Legislative Counsel's Digest:

1 Existing law sets forth provisions governing parentage and the establishment of
2 parent and child relationships. (Chapter 126 of NRS) **Sections 28-91** of this bill
3 generally replace such provisions with provisions modeled after those of the
4 Uniform Parentage Act (hereinafter "UPA"), adopted by the Uniform Law
5 Commission in 2017. **Sections 4-26** of this bill define terms for the purposes of
6 chapter 126 of NRS that are modeled after the definitions of the terms used in the
7 UPA.

8 Existing law provides the manners in which the legal relationship of a mother
9 and child can be established, including: (1) except in the case of a gestational
10 agreement, proof that a woman gave birth to a child; (2) an adjudication that a
11 woman is the mother of a child; (3) proof that a woman has adopted a child; (4) an
12 un rebutted presumption of a woman's maternity; (5) the consent of a woman to
13 assisted reproduction that resulted in the birth of a child; or (6) an adjudication
14 confirming a woman as a parent of a child born to a gestational carrier. (NRS
15 126.041) Existing law also provides the manners in which the legal relationship of
16 a father and child can be established, including: (1) an adjudication that a man is
17 the father of a child; (2) proof that a man has adopted a child; (3) the consent of a
18 man to assisted reproduction that resulted in the birth of a child; (4) an adjudication
19 confirming a man as a parent of a child born to a gestational carrier; (5) a
20 presumption of paternity that arises if a man was married to or cohabiting with the
21 natural mother of a child or resides with and holds out a child as his natural child;
22 (6) genetic testing establishing a man as the father of a child; or (7) a voluntary
23 acknowledgment of paternity by a man. (NRS 126.041, 126.051, 126.053) **Section**
24 **34** of this bill uses the gender-neutral language of the UPA to set forth the
25 circumstances in which a parent and child relationship is established between a
26 person and a child. Similarly, **section 37** of this bill uses the gender-neutral
27 language of the UPA to establish the circumstances in which a person is presumed
28 to be a parent of a child.

29 **Sections 38-51** of this bill establish provisions modeled after those of the UPA
30 relating to the voluntary acknowledgment or voluntary denial of parentage by
31 certain persons, including provisions relating to the requirements for, rescission of
32 and challenge to an acknowledgment of parentage or denial of parentage. **Section**
33 **42** of this bill provides that, unless an acknowledgment of parentage or denial of
34 parentage is rescinded or challenged, such an acknowledgment of parentage or
35 denial of parentage that meets all requirements of law and is filed with the State
36 Registrar of Vital Statistics is equivalent to an adjudication of the parentage of a
37 child or the nonparentage of a person, respectively. **Section 43** of this bill prohibits
38 the State Registrar of Vital Statistics from charging a fee for filing an
39 acknowledgment of parentage or denial of parentage, and **section 51** of this bill
40 authorizes the State Board of Health to adopt any necessary regulations relating to
41 an acknowledgment of parentage or denial of parentage.

42 Existing law provides that in an action to determine paternity, a court is
43 authorized or required, depending on the circumstances, to order genetic testing of
44 a mother, child, alleged father or any other person. (NRS 126.121) **Sections 52-68**
45 of this bill establish various provisions modeled after those of the UPA concerning
46 genetic testing, including: (1) the limitation on the use of genetic testing; (2) the
47 authority to order, facilitate or deny genetic testing; (3) the requirements of genetic
48 testing; (4) reports and costs of genetic testing; (5) additional genetic testing when a
49 result is contested; (6) genetic testing when a specimen is not available from an
50 alleged genetic parent; and (7) genetic testing of a deceased person or identical
51 sibling. **Section 68** of this bill provides that a person commits a misdemeanor if,
52 without proper authority, he or she intentionally releases an identifiable specimen
53 of another person collected for genetic testing for a purpose not relevant to a
54 proceeding regarding parentage.



55 Existing law establishes various provisions relating to an action to determine
56 paternity or maternity. (NRS 126.071-126.231) **Sections 69-89** of this bill replace
57 several of those provisions with provisions modeled after those of the UPA
58 governing proceedings to adjudicate parentage. Existing law provides that if an
59 action to determine paternity is brought before the birth of a child, all proceedings
60 are generally required to be stayed until after the birth of the child. (NRS 126.071)
61 **Section 84** of this bill instead authorizes a proceeding to adjudicate parentage to be
62 commenced and an order or judgment to be entered before the birth of a child, but
63 requires enforcement of the order or judgment to be stayed until after the birth of
64 the child.

65 Existing law does not bar an action to determine paternity until 3 years after a
66 child reaches the age of majority. (NRS 126.081) **Sections 75 and 76** of this bill
67 instead provide that a proceeding to determine whether an alleged genetic parent or
68 presumed parent, respectively, is a parent of a child may be commenced after the
69 child becomes an adult if the child initiates the proceeding.

70 Existing law requires that an informal hearing be held after an action to
71 determine paternity has been brought and further requires a court to attempt to
72 resolve the issues raised in the action during the pretrial hearing. (NRS 126.111)
73 **Section 136** of this bill repeals the provisions relating to such a pretrial hearing, as
74 the UPA does not require any such pretrial hearing to be conducted.

75 **Section 77** of this bill authorizes a person who claims to be a de facto parent of
76 a child to commence a proceeding to establish parentage of the child if the child is
77 alive and less than 18 years of age. **Section 77** provides that a person who claims to
78 be a de facto parent of a child must be adjudicated as a parent of the child if there is
79 only one other person who is a parent or has a claim to parentage of the child and
80 the person who claims to be a de facto parent can demonstrate certain facts by clear
81 and convincing evidence. **Section 81** of this bill authorizes a court to adjudicate a
82 child to have more than two parents if the court finds that failure to recognize more
83 than two parents would be detrimental to the child.

84 Existing law establishes provisions concerning assisted reproduction and
85 gestational surrogacy. (NRS 126.500-126.810) This bill establishes only certain
86 provisions modeled after those of the UPA relating to such matters. **Section 92** of
87 this bill establishes provisions relating to the parental status of certain persons who
88 die before a child is conceived by assisted reproduction. **Section 93** of this bill
89 authorizes a party to a gestational agreement to terminate the agreement at any time
90 before an embryo transfer or, if an embryo transfer does not result in pregnancy, at
91 any time before a subsequent embryo transfer.

92 Existing law requires that a gestational agreement provide for the express
93 written agreement of the gestational carrier to undergo embryo or gamete transfer
94 and attempt to carry and give birth to any resulting child. (NRS 126.750) **Section**
95 **107** of this bill requires that a gestational agreement also provide for the express
96 written agreement of the gestational carrier and any legal spouse or domestic
97 partner of the gestational carrier to acknowledge that each intended parent is the
98 legal and physical custodian of any resulting child. **Section 107** also specifies that a
99 gestational carrier has the right to make all health and welfare decisions regarding
100 the gestational carrier and the pregnancy of the gestational carrier, including
101 whether to: (1) consent to a cesarean section or the transfer of multiple embryos;
102 (2) use the services of a health care practitioner chosen by the gestational carrier;
103 (3) terminate or continue the pregnancy; and (4) reduce or retain the number of
104 fetuses or embryos carried by the gestational carrier. **Section 107** further provides
105 that any provision in a gestational agreement that contradicts such a right is void
106 and unenforceable.

107 Existing law provides that the subsequent marriage or domestic partnership of a
108 gestational carrier after the execution of a gestational agreement does not affect the
109 validity of the agreement. (NRS 126.770) **Section 108** of this bill provides that the



110 subsequent marriage, domestic partnership or divorce of any party to a gestational
111 agreement does not affect the validity of the agreement unless the agreement
112 expressly provides otherwise.

113 Existing law provides that if a gestational carrier breaches a gestational
114 agreement, a specific performance remedy that would require the gestational carrier
115 to be impregnated is prohibited. (NRS 126.780) **Section 109** of this bill instead
116 provides that specific performance is not an available remedy with regard to a
117 gestational agreement except to enforce any provision in the agreement that is
118 necessary to enable the intended parents to exercise the full rights of parentage
119 immediately upon the birth of the child, if the intended parents are being prevented
120 from exercising such rights.

121 **Sections 98-106** of this bill make various other changes to the provisions of
122 existing law concerning assisted reproduction and gestational surrogacy.

123 **Section 136** repeals provisions of existing law that are not necessary because of
124 the establishment of the provisions modeled after those of the UPA in **sections**
125 **28-91**.

126 **Sections 1, 94-97, 110-133 and 136** of this bill make conforming changes to
127 reflect the revisions made to existing law because of the establishment of the
128 provisions modeled after those of the UPA in **sections 28-91** and the repeal of
129 unnecessary provisions in **section 136**.

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

1 **Section 1.** NRS 125C.003 is hereby amended to read as
2 follows:

3 125C.003 ~~[(1)]~~ A court may award primary physical custody
4 to a parent if the court determines that joint physical custody is not
5 in the best interest of a child. An award of joint physical custody is
6 presumed not to be in the best interest of the child if:

7 ~~[(a)]~~ 1. The court determines by substantial evidence that a
8 parent is unable to adequately care for a minor child for at least 146
9 days of the year;

10 ~~[(b)] A child is born out of wedlock and the provisions of~~
11 ~~subsection 2 are applicable;~~ or

12 ~~[(c)]~~ 2. Except as otherwise provided in subsection 6 of NRS
13 125C.0035 or NRS 125C.210, there has been a determination by the
14 court after an evidentiary hearing and finding by clear and
15 convincing evidence that a parent has engaged in one or more acts
16 of domestic violence against the child, a parent of the child or any
17 other person residing with the child. The presumption created by
18 this ~~[paragraph]~~ **subsection** is a rebuttable presumption.

19 ~~[(2)] A court may award primary physical custody of a child~~
20 ~~born out of wedlock to:~~

21 ~~—(a) The mother of the child if:~~

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



~~1 (2) A judgment or order of a court, or a judgment or order
2 entered pursuant to an expedited process, determining the paternity
3 of the child has not been entered; and~~

~~4 (3) The father of the child:~~

~~5 (I) Is not subject to any presumption of paternity under
6 NRS 126.051;~~

~~7 (II) Has never acknowledged paternity pursuant to NRS
8 126.053; or~~

~~9 (III) Has had actual knowledge of his paternity but has
10 abandoned the child.~~

~~11 (b) The father of the child if:~~

~~12 (1) The mother has abandoned the child; and~~

~~13 (2) The father has provided sole care and custody of the child
14 in her absence.~~

~~15 3. As used in this section:~~

~~16 (a) "Abandoned" means that a mother or father has:~~

~~17 (1) Failed, for a continuous period of not less than 6 months,
18 to provide substantial personal and economic support to the child; or~~

~~19 (2) Knowingly declined, for a continuous period of not less
20 than 6 months, to have any meaningful relationship with the child.~~

~~21 (b) "Expedited process" has the meaning ascribed to it in
22 NRS 126.161.]~~

23 **Sec. 2.** Chapter 126 of NRS is hereby amended by adding
24 thereto the provisions set forth as sections 3 to 93, inclusive, of this
25 act.

26 **Sec. 3.** *As used in this chapter, unless the context otherwise
27 requires, the words and terms defined in sections 4 to 26,
28 inclusive, of this act have the meanings ascribed to them in those
29 sections.*

30 **Sec. 4.** *"Acknowledged parent" means a person who has
31 established a parent and child relationship under sections 38 to
32 51, inclusive, of this act.*

33 **Sec. 5.** *"Adjudicated parent" means a person who has been
34 adjudicated to be a parent of a child by a court with jurisdiction.*

35 **Sec. 6.** *"Alleged genetic parent" means a person who is
36 alleged to be, or alleges that the person is, a genetic parent or
37 possible genetic parent of a child whose parentage has not been
38 adjudicated. The term includes an alleged genetic father and
39 alleged genetic mother. The term does not include:*

40 *1. A presumed parent;*

41 *2. A person whose parental rights have been terminated or
42 declared not to exist; or*

43 *3. A donor.*

44 **Sec. 7.** *"Assisted reproduction" means a method of causing
45 pregnancy other than sexual intercourse. The term includes:*



- 1 *1. Intrauterine or intracervical insemination;*
- 2 *2. Donation of gametes;*
- 3 *3. Donation of embryos;*
- 4 *4. In vitro fertilization and transfer of embryos; and*
- 5 *5. Intracytoplasmic sperm injection.*

6 **Sec. 8.** *“Birth” includes stillbirth.*

7 **Sec. 9.** *“Child” means a person of any age whose parentage*
8 *may be determined under sections 28 to 91, inclusive, of this act.*

9 **Sec. 10.** *“Child support agency” means a governmental*
10 *entity, public official or private agency authorized to provide*
11 *parentage-establishment services under Title IV-D of the Social*
12 *Security Act, 42 U.S.C. §§ 651 to 669, inclusive.*

13 **Sec. 11.** *“Custodial parent” means a parent who has been*
14 *awarded physical custody of a child or, if no award of physical*
15 *custody has been made by a court, the parent with whom the child*
16 *resides.*

17 **Sec. 12.** *“Determination of parentage” means establishment*
18 *of a parent and child relationship by a judicial or administrative*
19 *proceeding or signing of a valid acknowledgment of parentage*
20 *under sections 38 to 51, inclusive, of this act.*

21 **Sec. 13.** *“Donor” means a person who provides gametes*
22 *intended for use in assisted reproduction, whether or not for*
23 *consideration. The term does not include:*

24 *1. A person who gives birth to a child conceived by assisted*
25 *reproduction, except as otherwise provided in NRS 126.500 to*
26 *126.810, inclusive, and sections 92 and 93 of this act; or*

27 *2. A parent or an intended parent under NRS 126.500 to*
28 *126.810, inclusive, and sections 92 and 93 of this act.*

29 **Sec. 14.** *“Gamete” means a sperm or egg.*

30 **Sec. 15.** *“Genetic testing” means an analysis of genetic*
31 *markers to identify or exclude a genetic relationship.*

32 **Sec. 16.** *“Intended parent” means a person, married or*
33 *unmarried, or in or not in a domestic partnership, who manifests*
34 *an intent to be legally bound as a parent of a child conceived by*
35 *assisted reproduction.*

36 **Sec. 17.** *“Parent” means a person who has established a*
37 *parent and child relationship under section 34 of this act.*

38 **Sec. 18.** *“Parentage” or “parent and child relationship”*
39 *means the legal relationship between a child and a parent of the*
40 *child.*

41 **Sec. 19.** *“Person” means a natural person of any age.*

42 **Sec. 20.** *“Presumed parent” means a person who under*
43 *section 37 of this act is presumed to be a parent of a child, unless*
44 *the presumption is overcome in a judicial proceeding, a valid*



1 *denial of parentage is made under sections 38 to 51, inclusive, of*
2 *this act or a court adjudicates the person to be a parent.*

3 **Sec. 21.** *“Record” means information that is inscribed on a*
4 *tangible medium or that is stored in an electronic or other medium*
5 *and is retrievable in perceivable form.*

6 **Sec. 22.** *“Sign” means, with present intent to authenticate or*
7 *adopt a record:*

8 *1. To execute or adopt a tangible symbol; or*

9 *2. To attach to or logically associate with the record an*
10 *electronic symbol, sound or process.*

11 **Sec. 23.** *“Signatory” means a person who signs a record.*

12 **Sec. 24.** *“State” means a state of the United States, the*
13 *District of Columbia, Puerto Rico, the United States Virgin*
14 *Islands or any territory or insular possession under the*
15 *jurisdiction of the United States. The term includes a federally*
16 *recognized Indian tribe.*

17 **Sec. 25.** *“Transfer” means a procedure for assisted*
18 *reproduction by which an embryo is placed in the body of the*
19 *person who will give birth to the child.*

20 **Sec. 26.** *“Witnessed” means that at least one person who is*
21 *authorized to sign has signed a record to verify that the person*
22 *personally observed a signatory sign the record.*

23 **Sec. 27.** *As used in this chapter, unless the context otherwise*
24 *requires, any reference to the father of a child or the mother of a*
25 *child includes a parent of any gender, and any reference to*
26 *paternity is equally applicable to parentage.*

27 **Sec. 28.** *Sections 28 to 91, inclusive, of this act may be cited*
28 *as the Uniform Parentage Act (2017).*

29 **Sec. 29.** *1. Sections 28 to 91, inclusive, of this act apply to*
30 *an adjudication or determination of parentage.*

31 *2. Sections 28 to 91, inclusive, of this act do not create, affect,*
32 *enlarge or diminish parental rights or duties under law of this*
33 *State other than sections 28 to 91, inclusive, of this act.*

34 **Sec. 30.** *Each district court may adjudicate parentage under*
35 *sections 28 to 91, inclusive, of this act.*

36 **Sec. 31.** *In any proceeding in which a court of this State has*
37 *jurisdiction to determine the parentage of a child, the court shall*
38 *apply the law of this State to adjudicate parentage. The applicable*
39 *law does not depend on:*

40 *1. The place of birth of the child; or*

41 *2. The past or present residence of the child.*

42 **Sec. 32.** *A proceeding under sections 28 to 91, inclusive, of*
43 *this act is subject to law of this State other than sections 28 to 91,*
44 *inclusive, of this act which governs the health, safety, privacy and*
45 *liberty of a child or other person who could be affected by*



1 *disclosure of information that could identify the child or other*
2 *person, including, without limitation, address, telephone number,*
3 *digital contact information, place of employment, social security*
4 *number and the child's day care facility or school.*

5 **Sec. 33.** *To the extent practicable, a provision of sections 28*
6 *to 91, inclusive, of this act applicable to a father and child*
7 *relationship applies to a mother and child relationship and a*
8 *provision of sections 28 to 91, inclusive, of this act applicable to a*
9 *mother and child relationship applies to a father and child*
10 *relationship.*

11 **Sec. 34.** *A parent and child relationship is established*
12 *between a person and a child if:*

13 1. *The person gives birth to the child, except as otherwise*
14 *provided in NRS 126.500 to 126.810, inclusive, and sections 92*
15 *and 93 of this act;*

16 2. *There is a presumption under section 37 of this act of the*
17 *person's parentage of the child, unless the presumption is*
18 *overcome in a judicial proceeding or a valid denial of parentage is*
19 *made under sections 38 to 51, inclusive, of this act;*

20 3. *The person is adjudicated a parent of the child by a court*
21 *of this State or any other state;*

22 4. *The person adopts the child;*

23 5. *The person acknowledges parentage of the child under*
24 *sections 38 to 51, inclusive, of this act, unless the acknowledgment*
25 *is rescinded under section 45 of this act or successfully challenged*
26 *under sections 38 to 51, inclusive, or 69 to 89, inclusive, of this*
27 *act; or*

28 6. *The person's parentage of the child is established under*
29 *NRS 126.500 to 126.810, inclusive, and sections 92 and 93 of this*
30 *act.*

31 **Sec. 35.** *A parent and child relationship extends equally to*
32 *every child and parent, regardless of the marital status of the*
33 *parent.*

34 **Sec. 36.** *Unless parental rights are terminated, a parent and*
35 *child relationship established under sections 28 to 91, inclusive, of*
36 *this act applies for all purposes.*

37 **Sec. 37.** 1. *A person is presumed to be a parent of a child*
38 *if:*

39 (a) *Except as otherwise provided under NRS 126.500 to*
40 *126.810, inclusive, and sections 92 and 93 of this act or law of this*
41 *State other than sections 28 to 91, inclusive, of this act:*

42 (1) *The person and the person who gave birth to the child*
43 *are married to or in a domestic partnership with each other and*
44 *the child is born during the marriage or domestic partnership,*



1 *whether the marriage or domestic partnership is or could be*
2 *declared invalid;*

3 *(2) The person and the person who gave birth to the child*
4 *were married to or in a domestic partnership with each other and*
5 *the child is born not later than 300 days after the marriage or*
6 *domestic partnership is terminated by death, divorce, dissolution,*
7 *annulment or declaration of invalidity, or after a decree of*
8 *separation or separate maintenance, whether the marriage or*
9 *domestic partnership is or could be declared invalid; or*

10 *(3) The person and the person who gave birth to the child*
11 *married or entered into a domestic partnership with each other*
12 *after the birth of the child, whether the marriage or domestic*
13 *partnership is or could be declared invalid, the person at any time*
14 *asserted parentage of the child, and:*

15 *(I) The assertion is in a record filed with the State*
16 *Registrar of Vital Statistics; or*

17 *(II) The person agreed to be and is named as a parent of*
18 *the child on the birth certificate of the child; or*

19 *(b) The person resided in the same household with the child*
20 *for the first 2 years of the life of the child, including any period of*
21 *temporary absence, and openly held out the child as the person's*
22 *child.*

23 *2. A presumption of parentage under this section may be*
24 *overcome, and competing claims to parentage may be resolved,*
25 *only by an adjudication under sections 69 to 89, inclusive, of this*
26 *act or a valid denial of parentage under sections 38 to 51,*
27 *inclusive, of this act.*

28 **Sec. 38.** *A person who gave birth to a child and an alleged*
29 *genetic parent of the child, intended parent under NRS 126.500 to*
30 *126.810, inclusive, and sections 92 and 93 of this act, or presumed*
31 *parent may sign an acknowledgment of parentage to establish the*
32 *parentage of the child.*

33 **Sec. 39.** *1. An acknowledgment of parentage under section*
34 *38 of this act must:*

35 *(a) Be in a record signed by the person who gave birth to the*
36 *child and by the person seeking to establish a parent and child*
37 *relationship, and the signatures must be attested by an electronic*
38 *notary public or other notarial officer or signed by at least one*
39 *witness;*

40 *(b) State that the child whose parentage is being*
41 *acknowledged:*

42 *(1) Does not have a presumed parent other than the person*
43 *seeking to establish the parent and child relationship or has a*
44 *presumed parent whose full name is stated; and*



1 (2) Does not have another acknowledged parent,
2 adjudicated parent or person who is a parent of the child under
3 NRS 126.500 to 126.810, inclusive, and sections 92 and 93 of this
4 act other than the person who gave birth to the child; and

5 (c) State that the signatories understand that the
6 acknowledgement is the equivalent of an adjudication of
7 parentage of the child and that a challenge to the acknowledgment
8 is permitted only under limited circumstances and is barred 2
9 years after the effective date of the acknowledgment.

10 2. An acknowledgment of parentage is void if, at the time of
11 signing:

12 (a) A person other than the person seeking to establish
13 parentage is a presumed parent, unless a denial of parentage by
14 the presumed parent in a signed record is filed with the State
15 Registrar of Vital Statistics; or

16 (b) A person, other than the person who gave birth to the child
17 or the person seeking to establish parentage, is an acknowledged
18 or adjudicated parent or a parent under NRS 126.500 to 126.810,
19 inclusive, and sections 92 and 93 of this act.

20 **Sec. 40.** A presumed parent or alleged genetic parent may
21 sign a denial of parentage in a record. The denial of parentage is
22 valid only if:

23 1. An acknowledgment of parentage by another person is
24 filed under section 42 of this act;

25 2. The signature of the presumed parent or alleged genetic
26 parent is attested by an electronic notary public or other notarial
27 officer or signed by at least one witness; and

28 3. The presumed parent or alleged genetic parent has not
29 previously:

30 (a) Completed a valid acknowledgment of parentage for the
31 same child, unless the previous acknowledgment was rescinded
32 under section 45 of this act or challenged successfully under
33 section 46 of this act; or

34 (b) Been adjudicated to be a parent of the child.

35 **Sec. 41.** 1. An acknowledgment of parentage and a denial
36 of parentage may be contained in a single document or may be in
37 counterparts and may be filed with the State Registrar of Vital
38 Statistics separately or simultaneously. If filing of the
39 acknowledgment and denial both are required under sections 28 to
40 91, inclusive, of this act, neither is effective until both are filed.

41 2. An acknowledgment of parentage or denial of parentage
42 may only be signed after the birth of the child.

43 3. Subject to subsection 1, an acknowledgment of parentage
44 or denial of parentage takes effect on the filing of the document
45 with the State Registrar of Vital Statistics.



1 4. *An acknowledgment of parentage or denial of parentage*
2 *signed by a person who is a minor is valid if the acknowledgment*
3 *complies with sections 28 to 91, inclusive, of this act.*

4 **Sec. 42.** *1. Except as otherwise provided in sections 45 and*
5 *46 of this act, an acknowledgment of parentage that complies with*
6 *sections 38 to 51, inclusive, of this act and is filed with the State*
7 *Registrar of Vital Statistics is equivalent to an adjudication of*
8 *parentage of the child and confers on the acknowledged parent all*
9 *rights and duties of a parent.*

10 2. *Except as otherwise provided in sections 45 and 46 of this*
11 *act, a denial of parentage by a presumed parent or alleged genetic*
12 *parent which complies with sections 38 to 51, inclusive, of this act*
13 *and is filed with the State Registrar of Vital Statistics with an*
14 *acknowledgment of parentage that complies with sections 38 to 51,*
15 *inclusive, of this act is equivalent to an adjudication of the*
16 *nonparentage of the presumed parent or alleged genetic parent*
17 *who signed the denial and discharges the presumed parent or*
18 *alleged genetic parent who signed the denial from all rights and*
19 *duties of a parent.*

20 **Sec. 43.** *The State Registrar of Vital Statistics may not*
21 *charge a fee for filing an acknowledgment of parentage or denial*
22 *of parentage.*

23 **Sec. 44.** *A court conducting a judicial proceeding or an*
24 *administrative agency conducting an administrative proceeding is*
25 *not required or permitted to ratify an unchallenged*
26 *acknowledgment of parentage. A court may determine that a*
27 *person who signed an acknowledgment of parentage is a parent in*
28 *a later proceeding based on other grounds.*

29 **Sec. 45.** *1. A signatory may rescind an acknowledgment of*
30 *parentage or denial of parentage by filing with the State Registrar*
31 *of Vital Statistics a rescission in a signed record which is attested*
32 *by an electronic notary public or notarial officer or signed by at*
33 *least one witness, before the earlier of:*

34 (a) *Sixty days after the effective date under section 41 of this*
35 *act of the acknowledgment or denial; or*

36 (b) *The date of the first hearing before a court in a proceeding,*
37 *to which the signatory is a party, to adjudicate an issue relating to*
38 *the child, including a proceeding that establishes support.*

39 2. *If an acknowledgment of parentage is rescinded under*
40 *subsection 1, an associated denial of parentage is invalid, and the*
41 *State Registrar of Vital Statistics shall notify the person who gave*
42 *birth to the child and the person who signed a denial of parentage*
43 *of the child that the acknowledgment has been rescinded. Failure*
44 *to give the notice required by this subsection does not affect the*
45 *validity of the rescission.*



1 **Sec. 46. 1.** *After the period for rescission under section 45*
2 *of this act expires, but not later than 2 years after the effective date*
3 *under section 41 of this act of an acknowledgment of parentage or*
4 *denial of parentage, a signatory of the acknowledgment or denial*
5 *may commence a proceeding to challenge the acknowledgment or*
6 *denial only on the basis of fraud, duress or material mistake of*
7 *fact.*

8 **2.** *A challenge to an acknowledgment of parentage or denial*
9 *of parentage by a person who was not a signatory to the*
10 *acknowledgment or denial is governed by section 78 of this act.*

11 **Sec. 47. 1.** *Every signatory to an acknowledgment of*
12 *parentage and any related denial of parentage must be made a*
13 *party to a proceeding to challenge the acknowledgment or denial.*

14 **2.** *By signing an acknowledgment of parentage or denial of*
15 *parentage, a signatory submits to personal jurisdiction in this*
16 *State in a proceeding to challenge the acknowledgment or denial,*
17 *effective on the filing of the acknowledgment or denial with the*
18 *State Registrar of Vital Statistics.*

19 **3.** *The court may not suspend the legal responsibilities*
20 *arising from an acknowledgment of parentage, including the duty*
21 *to pay child support, during the pendency of a proceeding to*
22 *challenge the acknowledgment or a related denial of parentage,*
23 *unless the party challenging the acknowledgment or denial shows*
24 *good cause.*

25 **4.** *A party challenging an acknowledgment of parentage or*
26 *denial of parentage has the burden of proof.*

27 **5.** *If the court determines that a party has satisfied the burden*
28 *of proof under subsection 4, the court shall order the State*
29 *Registrar of Vital Statistics to amend the birth record of the child*
30 *to reflect the legal parentage of the child.*

31 **6.** *A proceeding to challenge an acknowledgment of*
32 *parentage or denial of parentage must be conducted under*
33 *sections 69 to 89, inclusive, of this act.*

34 **Sec. 48.** *The court shall give full faith and credit to an*
35 *acknowledgment of parentage or denial of parentage effective in*
36 *another state if the acknowledgment or denial was in a signed*
37 *record and otherwise complies with the law of the other state.*

38 **Sec. 49.** *A valid acknowledgment of parentage or denial of*
39 *parentage is not affected by a later modification of the declaration*
40 *developed by the State Board of Health pursuant to NRS 440.285.*

41 **Sec. 50. 1.** *The State Registrar of Vital Statistics may*
42 *release information relating to an acknowledgment of parentage*
43 *or denial of parentage to a signatory of the acknowledgment or*
44 *denial, a court, federal agency, agency which provides child*
45 *welfare services and child support agency of this or another state.*



1 2. As used in this section, "agency which provides child
2 welfare services" has the meaning ascribed to it in NRS 432B.030.

3 **Sec. 51.** The State Board of Health may adopt any
4 regulations that are necessary to implement sections 38 to 51,
5 inclusive, of this act.

6 **Sec. 52.** As used in sections 52 to 68, inclusive, of this act,
7 unless the context otherwise requires, the words and terms defined
8 in sections 53 to 57, inclusive, of this act have the meanings
9 ascribed to them in those sections.

10 **Sec. 53.** "Combined relationship index" means the product
11 of all tested relationship indices.

12 **Sec. 54.** "Ethnic or racial group" means, for the purpose of
13 genetic testing, a recognized group that a person identifies as the
14 person's ancestry or part of the ancestry or that is identified by
15 other information.

16 **Sec. 55.** "Hypothesized genetic relationship" means an
17 asserted genetic relationship between a person and a child.

18 **Sec. 56.** "Probability of parentage" means, for the ethnic or
19 racial group to which a person alleged to be a parent belongs, the
20 probability that a hypothesized genetic relationship is supported,
21 compared to the probability that a genetic relationship is
22 supported between the child and a random person of the ethnic or
23 racial group used in the hypothesized genetic relationship,
24 expressed as a percentage incorporating the combined
25 relationship index and a prior probability.

26 **Sec. 57.** "Relationship index" means a likelihood ratio that
27 compares the probability of a genetic marker given a hypothesized
28 genetic relationship and the probability of the genetic marker
29 given a genetic relationship between the child and a random
30 person of the ethnic or racial group used in the hypothesized
31 genetic relationship.

32 **Sec. 58.** 1. Sections 52 to 68, inclusive, of this act govern
33 genetic testing of a person in a proceeding to adjudicate
34 parentage, whether the person:

35 (a) Voluntarily submits to testing; or

36 (b) Is tested under an order of the court or as a result of the
37 facilitation of a child support agency.

38 2. Genetic testing may not be used:

39 (a) To challenge the parentage of a person who is a parent
40 under NRS 126.500 to 126.810, inclusive, and sections 92 and 93
41 of this act; or

42 (b) To establish the parentage of a person who is a donor.

43 **Sec. 59.** 1. Except as otherwise provided in sections 52 to
44 68, inclusive, or 69 to 89, inclusive, of this act, in a proceeding
45 under sections 28 to 91, inclusive, of this act to determine



1 *parentage, the court shall order the child and any other person to*
2 *submit to genetic testing if a request for testing is supported by the*
3 *sworn statement of a party:*

4 *(a) Alleging a reasonable possibility that the person is the*
5 *child's genetic parent; or*

6 *(b) Denying genetic parentage of the child and stating facts*
7 *establishing a reasonable possibility that the person is not a*
8 *genetic parent.*

9 *2. A child support agency may facilitate genetic testing only if*
10 *there is no acknowledged or adjudicated parent of a child other*
11 *than the person who gave birth to the child.*

12 *3. The court may not order, and a child support agency may*
13 *not facilitate, in utero genetic testing.*

14 *4. If two or more persons are subject to court-ordered genetic*
15 *testing, the court may order that testing be completed concurrently*
16 *or sequentially.*

17 *5. Genetic testing of a person who gave birth to a child is not*
18 *a condition precedent to testing of the child and a person whose*
19 *genetic parentage of the child is being determined. If the person*
20 *who gave birth to the child is unavailable or declines to submit to*
21 *genetic testing, the court may order genetic testing of the child and*
22 *each person whose genetic parentage of the child is being*
23 *adjudicated.*

24 *6. In a proceeding to adjudicate the parentage of a child*
25 *having a presumed parent or a person who claims to be a parent*
26 *under section 77 of this act, or to challenge an acknowledgment of*
27 *parentage, the court may deny a motion for genetic testing of the*
28 *child and any other person after considering the factors in*
29 *subsections 1 and 2 of section 81 of this act.*

30 *7. If a person requesting genetic testing is barred under*
31 *sections 69 to 89, inclusive, of this act from establishing the*
32 *person's parentage, the court shall deny the request for genetic*
33 *testing.*

34 *8. An order under this section for genetic testing is*
35 *enforceable by contempt.*

36 **Sec. 60.** *1. Genetic testing must be of a type reasonably*
37 *relied on by experts in the field of genetic testing and performed in*
38 *a testing laboratory accredited by:*

39 *(a) The AABB, formerly known as the American Association*
40 *of Blood Banks, or a successor to its functions; or*

41 *(b) An accrediting body designated by the Secretary of the*
42 *United States Department of Health and Human Services.*

43 *2. A specimen used in genetic testing may consist of a sample*
44 *or a combination of samples of blood, buccal cells, bone, hair or*
45 *other body tissue or fluid. The specimen used in the testing need*



1 *not be of the same kind for each person undergoing genetic*
2 *testing.*

3 *3. Based on the ethnic or racial group of a person*
4 *undergoing genetic testing, a testing laboratory shall determine*
5 *the databases from which to select frequencies for use in*
6 *calculating a relationship index. If a person or a child support*
7 *agency objects to the laboratory's choice, the following rules*
8 *apply:*

9 *(a) Not later than 30 days after receipt of the report of the test,*
10 *the objecting person or child support agency may request the court*
11 *to require the laboratory to recalculate the relationship index*
12 *using an ethnic or racial group different from that used by the*
13 *laboratory.*

14 *(b) The person or the child support agency objecting to the*
15 *laboratory's choice under this subsection shall:*

16 *(1) If the requested frequencies are not available to the*
17 *laboratory for the ethnic or racial group requested, provide the*
18 *requested frequencies compiled in a manner recognized by*
19 *accrediting bodies; or*

20 *(2) Engage another laboratory to perform the calculations.*

21 *(c) The laboratory may use its own statistical estimate if there*
22 *is a question which ethnic or racial group is appropriate. The*
23 *laboratory shall calculate the frequencies using statistics, if*
24 *available, for any other ethnic or racial group requested.*

25 *4. If, after recalculation of the relationship index under*
26 *subsection 3 using a different ethnic or racial group, genetic*
27 *testing under section 62 of this act does not identify a person as a*
28 *genetic parent of a child, the court may require a person who has*
29 *been tested to submit to additional genetic testing to identify a*
30 *genetic parent.*

31 **Sec. 61. 1.** *A report of genetic testing must be in a record*
32 *and signed under penalty of perjury by a designee of the testing*
33 *laboratory. A report complying with the requirements of sections*
34 *52 to 68, inclusive, of this act is self-authenticating.*

35 *2. Documentation from a testing laboratory of the following*
36 *information is sufficient to establish a reliable chain of custody*
37 *and allow the results of genetic testing to be admissible without*
38 *testimony:*

39 *(a) The name and photograph of each person whose specimen*
40 *has been taken;*

41 *(b) The name of the person who collected each specimen;*

42 *(c) The place and date each specimen was collected;*

43 *(d) The name of the person who received each specimen in the*
44 *testing laboratory; and*

45 *(e) The date each specimen was received.*



1 **Sec. 62. 1.** *Subject to a challenge under subsection 2, a*
2 *person is identified under sections 28 to 91, inclusive, of this act as*
3 *a genetic parent of a child if genetic testing complies with sections*
4 *52 to 68, inclusive, of this act and the results of the testing*
5 *disclose:*

6 *(a) The person has at least a 99 percent probability of*
7 *parentage, using a prior probability of 0.50, as calculated by using*
8 *the combined relationship index obtained in the testing; and*

9 *(b) A combined relationship index of at least 100 to 1.*

10 **2.** *A person identified under subsection 1 as a genetic parent*
11 *of the child may challenge the genetic testing results only by other*
12 *genetic testing satisfying the requirements of sections 52 to 68,*
13 *inclusive, of this act which:*

14 *(a) Excludes the person as a genetic parent of the child; or*

15 *(b) Identifies another person as a possible genetic parent of the*
16 *child other than:*

17 *(1) The person who gave birth to the child; or*

18 *(2) The person identified under subsection 1.*

19 **3.** *Except as otherwise provided in section 67 of this act, if*
20 *more than one person other than the person who gave birth to the*
21 *child is identified by genetic testing as a possible genetic parent of*
22 *the child, the court shall order each person to submit to further*
23 *genetic testing to identify a genetic parent.*

24 **Sec. 63. 1.** *Subject to assessment of fees under sections 69*
25 *to 89, inclusive, of this act, payment of the cost of initial genetic*
26 *testing must be made in advance:*

27 *(a) By the person who made the request for genetic testing;*

28 *(b) As agreed by the parties; or*

29 *(c) As ordered by the court.*

30 **2.** *If the cost of genetic testing is paid by a child support*
31 *agency, the agency may seek reimbursement from the genetic*
32 *parent whose parent and child relationship is established.*

33 **Sec. 64.** *The court shall order, or a child support agency may*
34 *facilitate, additional genetic testing on request of a person who*
35 *contests the result of the initial testing under section 62 of this act.*
36 *If initial genetic testing under section 62 of this act identified a*
37 *person as a genetic parent of the child, the court may not order,*
38 *and a child support agency may not facilitate, additional testing*
39 *unless the contesting person pays for the testing in advance.*

40 **Sec. 65. 1.** *Subject to subsection 2, if a genetic-testing*
41 *specimen is not available from an alleged genetic parent of a*
42 *child, a person seeking genetic testing demonstrates good cause*
43 *and the court finds that the circumstances are just, the court may*
44 *order any of the following persons to submit specimens for genetic*
45 *testing:*



- 1 (a) A parent of the alleged genetic parent;
- 2 (b) A sibling of the alleged genetic parent;
- 3 (c) Another child of the alleged genetic parent and the person
- 4 who gave birth to the other child; and
- 5 (d) Another relative of the alleged genetic parent necessary to
- 6 complete genetic testing.

7 2. To issue an order under this section, the court must find
8 that a need for genetic testing outweighs the legitimate interests of
9 the person sought to be tested.

10 **Sec. 66.** If a person seeking genetic testing demonstrates
11 good cause, the court may order genetic testing of a deceased
12 person.

13 **Sec. 67.** 1. If the court finds there is reason to believe that
14 an alleged genetic parent has an identical sibling and evidence
15 that the sibling may be a genetic parent of the child, the court may
16 order genetic testing of the sibling.

17 2. If more than one sibling is identified under section 62 of
18 this act as a genetic parent of the child, the court may rely on
19 nongenetic evidence to adjudicate which sibling is a genetic parent
20 of the child.

21 **Sec. 68.** 1. Release of a report of genetic testing for
22 parentage is controlled by law of this State other than sections 28
23 to 91, inclusive, of this act.

24 2. A person who intentionally releases an identifiable
25 specimen of another person collected for genetic testing under
26 sections 52 to 68, inclusive, of this act for a purpose not relevant to
27 a proceeding regarding parentage, without a court order or written
28 permission of the person who furnished the specimen, commits a
29 misdemeanor.

30 **Sec. 69.** 1. A proceeding may be commenced to adjudicate
31 the parentage of a child. Except as otherwise provided in sections
32 28 to 91, inclusive, of this act, the proceeding is governed by the
33 Nevada Rules of Civil Procedure.

34 2. A proceeding to adjudicate the parentage of a child born
35 under a gestational agreement is governed by NRS 126.500 to
36 126.810, inclusive, and sections 92 and 93 of this act.

37 3. As used in this section, "gestational agreement" has the
38 meaning ascribed to it in NRS 126.570.

39 **Sec. 70.** Except as otherwise provided in sections 38 to 51,
40 inclusive, and 76 to 79, inclusive, of this act, a proceeding to
41 adjudicate parentage may be maintained by:

42 1. The child;

43 2. The person who gave birth to the child, unless a court has
44 adjudicated that the person who gave birth to the child is not a
45 parent;



1 3. A person who is a parent under sections 28 to 91, inclusive,
2 of this act;

3 4. A person whose parentage of the child is to be adjudicated;

4 5. A child support agency or other governmental agency
5 authorized by law of this State other than sections 28 to 91,
6 inclusive, of this act;

7 6. An adoption agency authorized by law of this State other
8 than sections 28 to 91, inclusive, of this act or licensed child-
9 placing agency;

10 7. A representative authorized by law of this State other than
11 sections 28 to 91, inclusive, of this act to act for a person who
12 otherwise would be entitled to maintain a proceeding but is
13 deceased, incapacitated or a minor; or

14 8. An agency which provides child welfare services in a
15 proceeding pursuant to chapter 432B of NRS. As used in this
16 subsection, "agency which provides child welfare services" has the
17 meaning ascribed to it in NRS 432B.030.

18 **Sec. 71.** 1. The petitioner shall give notice of a proceeding
19 to adjudicate parentage to the following persons, if the
20 whereabouts of the person are known:

21 (a) The person who gave birth to the child, unless a court has
22 adjudicated that the person who gave birth to the child is not a
23 parent;

24 (b) A person who is a parent of the child under sections 28 to
25 91, inclusive, of this act;

26 (c) A presumed, acknowledged or adjudicated parent of the
27 child; and

28 (d) A person whose parentage of the child is to be adjudicated.

29 2. A person entitled to notice under subsection 1 has a right
30 to intervene in the proceeding.

31 3. Lack of notice required by subsection 1 does not render a
32 judgment void. Lack of notice does not preclude a person entitled
33 to notice under subsection 1 from bringing a proceeding under
34 subsection 2 of section 79 of this act.

35 **Sec. 72.** 1. The court may adjudicate a person's parentage
36 of a child only if the court has personal jurisdiction over the
37 person.

38 2. A court of this State with jurisdiction to adjudicate
39 parentage may exercise personal jurisdiction over a nonresident if
40 the conditions prescribed in NRS 130.201 are satisfied.

41 3. Lack of jurisdiction over one person does not preclude the
42 court from making an adjudication of parentage binding on
43 another person.

44 **Sec. 73.** Venue for a proceeding to adjudicate parentage is in
45 the county of this State in which:



- 1 1. *The child resides or is located;*
- 2 2. *If the child does not reside in this State, the respondent*
- 3 *resides or is located;*
- 4 3. *A proceeding has been commenced for administration of*
- 5 *the estate of a person who is or may be a parent under sections 28*
- 6 *to 91, inclusive, of this act; or*
- 7 4. *A proceeding has been commenced to protect a child from*
- 8 *abuse or neglect pursuant to chapter 432B of NRS.*

9 **Sec. 74.** 1. *Except as otherwise provided in subsection 2 of*

10 *section 58 of this act, the court shall admit a report of genetic*

11 *testing ordered by the court under section 59 of this act as*

12 *evidence of the truth of the facts asserted in the report.*

13 2. *A party may object to the admission of a report described*

14 *in subsection 1, not later than 14 days after the party receives the*

15 *report. The party shall cite specific grounds for exclusion.*

16 3. *A party that objects to the results of genetic testing may*

17 *call a genetic-testing expert to testify in person or by another*

18 *method approved by the court. Unless the court orders otherwise,*

19 *the party offering the testimony bears the expense for the expert*

20 *testifying.*

21 4. *Admissibility of a report of genetic testing is not affected by*

22 *whether the testing was performed:*

23 (a) *Voluntarily, under an order of the court or as a result of*

24 *the facilitation of a child support agency; or*

25 (b) *Before, on or after commencement of the proceeding.*

26 **Sec. 75.** 1. *A proceeding to determine whether an alleged*

27 *genetic parent who is not a presumed parent is a parent of a child*

28 *may be commenced:*

29 (a) *Before the child becomes an adult; or*

30 (b) *After the child becomes an adult, but only if the child*

31 *initiates the proceeding.*

32 2. *This subsection applies in a proceeding described in*

33 *subsection 1 if the person who gave birth to the child is the only*

34 *other person with a claim to parentage of the child. The court*

35 *shall adjudicate an alleged genetic parent to be a parent of the*

36 *child if the alleged genetic parent:*

37 (a) *Is identified under section 62 of this act as a genetic parent*

38 *of the child and the identification is not successfully challenged*

39 *under section 62 of this act;*

40 (b) *Admits parentage in a pleading, when making an*

41 *appearance or during a hearing, the court accepts the admission*

42 *and the court determines the alleged genetic parent to be a parent*

43 *of the child;*

44 (c) *Declines to submit to genetic testing ordered by the court or*

45 *facilitated by a child support agency, in which case the court may*



1 *adjudicate the alleged genetic parent to be a parent of the child*
2 *even if the alleged genetic parent denies a genetic relationship*
3 *with the child;*

4 *(d) Is in default after service of process and the court*
5 *determines the alleged genetic parent to be a parent of the child;*
6 *or*

7 *(e) Is neither identified nor excluded as a genetic parent by*
8 *genetic testing and, based on other evidence, the court determines*
9 *the alleged genetic parent to be a parent of the child.*

10 *3. Subject to other limitations in sections 74 to 81, inclusive,*
11 *of this act, if in a proceeding involving an alleged genetic parent,*
12 *at least one other person in addition to the person who gave birth*
13 *to the child has a claim to parentage of the child, the court shall*
14 *adjudicate parentage under section 81 of this act.*

15 **Sec. 76. 1.** *A proceeding to determine whether a presumed*
16 *parent is a parent of a child may be commenced:*

17 *(a) Before the child becomes an adult; or*

18 *(b) After the child becomes an adult, but only if the child*
19 *initiates the proceeding.*

20 *2. A presumption of parentage under section 37 of this act*
21 *cannot be overcome after the child attains 2 years of age unless*
22 *the court determines:*

23 *(a) The presumed parent is not a genetic parent, never resided*
24 *with the child and never held out the child as the presumed*
25 *parent's child; or*

26 *(b) The child has more than one presumed parent.*

27 *3. The following rules apply in a proceeding to adjudicate a*
28 *presumed parent's parentage of a child if the person who gave*
29 *birth to the child is the only other person with a claim to parentage*
30 *of the child:*

31 *(a) If no party to the proceeding challenges the presumed*
32 *parent's parentage of the child, the court shall adjudicate the*
33 *presumed parent to be a parent of the child.*

34 *(b) If the presumed parent is identified under section 62 of this*
35 *act as a genetic parent of the child and that identification is not*
36 *successfully challenged under section 62 of this act, the court*
37 *shall adjudicate the presumed parent to be a parent of the child.*

38 *(c) If the presumed parent is not identified under section 62 of*
39 *this act as a genetic parent of the child and the presumed parent*
40 *or the person who gave birth to the child challenges the presumed*
41 *parent's parentage of the child, the court shall adjudicate the*
42 *parentage of the child in the best interest of the child based on the*
43 *factors under subsections 1 and 2 of section 81 of this act.*

44 *4. Subject to other limitations in sections 74 to 81, inclusive,*
45 *of this act, if in a proceeding to adjudicate a presumed parent's*



1 *parentage of a child, another person in addition to the person who*
2 *gave birth to the child asserts a claim to parentage of the child, the*
3 *court shall adjudicate parentage under section 81 of this act.*

4 **Sec. 77. 1.** *A proceeding to establish parentage of a child*
5 *under this section may be commenced only by a person who:*

6 *(a) Is alive when the proceeding is commenced; and*

7 *(b) Claims to be a de facto parent of the child.*

8 **2.** *A person who claims to be a de facto parent of a child must*
9 *commence a proceeding to establish parentage of a child under*
10 *this section:*

11 *(a) Before the child attains 18 years of age; and*

12 *(b) While the child is alive.*

13 **3.** *The following rules govern standing of a person who*
14 *claims to be a de facto parent of a child to maintain a proceeding*
15 *under this section:*

16 *(a) The person must file an initial verified pleading alleging*
17 *specific facts that support the claim to parentage of the child*
18 *asserted under this section. The verified pleading must be served*
19 *on all parents and legal guardians of the child and any other party*
20 *to the proceeding.*

21 *(b) An adverse party, parent or legal guardian may file a*
22 *pleading in response to the pleading filed under paragraph (a). A*
23 *responsive pleading must be verified and must be served on parties*
24 *to the proceeding.*

25 *(c) Unless the court finds a hearing is necessary to determine*
26 *disputed facts material to the issue of standing, the court shall*
27 *determine, based on the pleadings under paragraphs (a) and (b),*
28 *whether the person has alleged facts sufficient to satisfy by a*
29 *preponderance of the evidence the requirements of paragraphs (a)*
30 *to (g), inclusive, of subsection 4. If the court holds a hearing*
31 *under this subsection, the hearing must be held on an expedited*
32 *basis.*

33 **4.** *In a proceeding to adjudicate parentage of a person who*
34 *claims to be a de facto parent of the child, if there is only one*
35 *other person who is a parent or has a claim to parentage of the*
36 *child, the court shall adjudicate the person who claims to be a de*
37 *facto parent to be a parent of the child if the person demonstrates*
38 *by clear and convincing evidence that:*

39 *(a) The person resided with the child as a regular member of*
40 *the child's household for a significant period;*

41 *(b) The person engaged in consistent caretaking of the child;*

42 *(c) The person undertook full and permanent responsibilities*
43 *of a parent of the child without expectation of financial*
44 *compensation;*

45 *(d) The person held out the child as the person's child;*



1 (e) *The person established a bonded and dependent*
2 *relationship with the child which is parental in nature;*

3 (f) *Another parent of the child fostered or supported the*
4 *bonded and dependent relationship required under paragraph (e);*
5 *and*

6 (g) *Continuing the relationship between the person and the*
7 *child is in the best interest of the child.*

8 5. *Subject to other limitations in sections 74 to 81, inclusive,*
9 *of this act, if in a proceeding to adjudicate parentage of a person*
10 *who claims to be a de facto parent of the child, there is more than*
11 *one other person who is a parent or has a claim to parentage of*
12 *the child and the court determines that the requirements of*
13 *subsection 4 are satisfied, the court shall adjudicate parentage*
14 *under section 81 of this act.*

15 **Sec. 78.** 1. *If a child has an acknowledged parent, a*
16 *proceeding to challenge the acknowledgment of parentage or a*
17 *denial of parentage, brought by a signatory to the*
18 *acknowledgment or denial, is governed by sections 46 and 47 of*
19 *this act.*

20 2. *If a child has an acknowledged parent, the following rules*
21 *apply in a proceeding to challenge the acknowledgment of*
22 *parentage or a denial of parentage brought by a person, other*
23 *than the child, who has standing under section 70 of this act and*
24 *was not a signatory to the acknowledgment or denial:*

25 (a) *The person must commence the proceeding not later than 2*
26 *years after the effective date of the acknowledgment.*

27 (b) *The court may permit the proceeding only if the court finds*
28 *permitting the proceeding is in the best interest of the child.*

29 (c) *If the court permits the proceeding, the court shall*
30 *adjudicate parentage under section 80 of this act.*

31 **Sec. 79.** 1. *If a child has an adjudicated parent, a*
32 *proceeding to challenge the adjudication, brought by a person who*
33 *was a party to the adjudication or received notice under section 71*
34 *of this act, is governed by the rules governing a collateral attack*
35 *on a judgment.*

36 2. *If a child has an adjudicated parent, the following rules*
37 *apply to a proceeding to challenge the adjudication of parentage*
38 *brought by a person, other than the child, who has standing under*
39 *section 70 of this act and was not a party to the adjudication and*
40 *did not receive notice under section 71 of this act:*

41 (a) *The person must commence the proceeding not later than 2*
42 *years after the effective date of the adjudication.*

43 (b) *The court may permit the proceeding only if the court finds*
44 *permitting the proceeding is in the best interest of the child.*



1 (c) *If the court permits the proceeding, the court shall*
2 *adjudicate parentage under section 81 of this act.*

3 **Sec. 80.** 1. *A person who is a parent under NRS 126.500 to*
4 *126.810, inclusive, and sections 92 and 93 of this act or the person*
5 *who gave birth to the child may bring a proceeding to adjudicate*
6 *parentage. If the court determines the person is a parent under*
7 *NRS 126.500 to 126.810, inclusive, and sections 92 and 93 of this*
8 *act, the court shall adjudicate the person to be a parent of the*
9 *child.*

10 2. *In a proceeding to adjudicate a person's parentage of a*
11 *child, if another person other than the person who gave birth to*
12 *the child is a parent under NRS 126.500 to 126.810, inclusive, and*
13 *sections 92 and 93 of this act, the court shall adjudicate the*
14 *person's parentage of the child under section 81 of this act.*

15 **Sec. 81.** 1. *In a proceeding to adjudicate competing claims*
16 *of, or challenges under subsection 3 of section 76 of this act or*
17 *section 78 or 79 of this act, to parentage of a child by two or more*
18 *persons, the court shall adjudicate parentage in the best interest of*
19 *the child, based on:*

20 (a) *The age of the child;*

21 (b) *The length of time during which each person assumed the*
22 *role of parent of the child;*

23 (c) *The nature of the relationship between the child and each*
24 *person;*

25 (d) *The harm to the child if the relationship between the child*
26 *and each person is not recognized;*

27 (e) *The basis for each person's claim to parentage of the child;*
28 *and*

29 (f) *Other equitable factors arising from the disruption of the*
30 *relationship between the child and each person or the likelihood of*
31 *other harm to the child.*

32 2. *If a person challenges parentage based on the results of*
33 *genetic testing, in addition to the factors listed in subsection 1, the*
34 *court shall consider:*

35 (a) *The facts surrounding the discovery the person might not*
36 *be a genetic parent of the child; and*

37 (b) *The length of time between the time that the person was*
38 *placed on notice that the person might not be a genetic parent and*
39 *the commencement of the proceeding.*

40 3. *The court may adjudicate a child to have more than two*
41 *parents under sections 28 to 91, inclusive, of this act if the court*
42 *finds that failure to recognize more than two parents would be*
43 *detrimental to the child. A finding of detriment to the child does*
44 *not require a finding of unfitness of any parent or person seeking*
45 *an adjudication of parentage. In determining detriment to the*



1 *child, the court shall consider all relevant factors, including the*
2 *harm if the child is removed from a stable placement with a person*
3 *who has fulfilled the child's physical needs and psychological*
4 *needs for care and affection and has assumed the role for a*
5 *substantial period.*

6 **Sec. 82. 1.** *In a proceeding under sections 69 to 89,*
7 *inclusive, of this act, the court may issue a temporary order for*
8 *child support if the order is consistent with the law of this State*
9 *other than sections 28 to 91, inclusive, of this act and the person*
10 *ordered to pay support is:*

- 11 (a) *A presumed parent of the child;*
12 (b) *Petitioning to be adjudicated a parent;*
13 (c) *Identified as a genetic parent through genetic testing under*
14 *section 62 of this act;*
15 (d) *An alleged genetic parent who has declined to submit to*
16 *genetic testing;*
17 (e) *Shown by clear and convincing evidence to be a parent of*
18 *the child; or*
19 (f) *A parent under sections 28 to 91, inclusive, of this act.*

20 2. *A temporary order may include a provision for custody and*
21 *visitation under law of this State other than sections 28 to 91,*
22 *inclusive, of this act.*

23 **Sec. 83. 1.** *Except as otherwise provided in subsection 2,*
24 *the court may combine a proceeding to adjudicate parentage*
25 *under sections 28 to 91, inclusive, of this act with a proceeding for*
26 *adoption, termination of parental rights, protection of a child from*
27 *abuse or neglect pursuant to chapter 432B of NRS, child custody*
28 *or visitation, child support, divorce, dissolution, annulment,*
29 *declaration of invalidity, legal separation or separate*
30 *maintenance, administration of an estate or other appropriate*
31 *proceeding.*

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

35 **Sec. 84.** *Except as otherwise provided in NRS 126.500 to*
36 *126.810, inclusive, and sections 92 and 93 of this act, a proceeding*
37 *to adjudicate parentage may be commenced before the birth of the*
38 *child and an order or judgment may be entered before birth, but*
39 *enforcement of the order or judgment must be stayed until the*
40 *birth of the child.*

41 **Sec. 85. 1.** *A minor child is a permissive party but not a*
42 *necessary party to a proceeding under sections 69 to 89, inclusive,*
43 *of this act.*

44 2. *The court shall appoint a guardian ad litem to represent a*
45 *child in a proceeding under sections 69 to 89, inclusive, of this act*



1 *if the court finds that the interests of the child are not adequately*
2 *represented.*

3 **Sec. 86.** *The court shall adjudicate parentage of a child*
4 *without a jury.*

5 **Sec. 87.** *The court may dismiss a proceeding under sections*
6 *28 to 91, inclusive, of this act for want of prosecution only without*
7 *prejudice. An order of dismissal for want of prosecution*
8 *purportedly with prejudice is void and has only the effect of a*
9 *dismissal without prejudice.*

10 **Sec. 88.** 1. *An order adjudicating parentage must identify*
11 *the child in a manner provided by law of this State other than*
12 *sections 28 to 91, inclusive, of this act.*

13 2. *Except as otherwise provided in subsection 3, the court*
14 *may assess filing fees, reasonable attorney's fees, fees for genetic*
15 *testing, other costs and necessary travel and other reasonable*
16 *expenses incurred in a proceeding under sections 69 to 89,*
17 *inclusive, of this act. Attorney's fees awarded under this*
18 *subsection may be paid directly to the attorney, and the attorney*
19 *may enforce the order in the attorney's own name.*

20 3. *The court may not assess fees, costs or expenses in a*
21 *proceeding under sections 69 to 89, inclusive, of this act against a*
22 *child support agency of this State or another state, except as*
23 *provided by law of this State other than sections 28 to 91,*
24 *inclusive, of this act.*

25 4. *In a proceeding under sections 69 to 89, inclusive, of this*
26 *act, a copy of a bill for genetic testing or prenatal or postnatal*
27 *health care for the person who gave birth to the child and the*
28 *child, that is provided to the adverse party, excluding a child*
29 *support agency, not later than 10 days before a hearing, is*
30 *admissible to establish:*

31 (a) *The amount of the charge billed; and*

32 (b) *That the charge is reasonable and necessary.*

33 5. *On request of a party and for good cause, the court in a*
34 *proceeding under sections 69 to 89, inclusive, of this act may order*
35 *the name of the child changed. If the court order changing the*
36 *name varies from the name on the birth certificate of the child, the*
37 *court shall order the State Registrar of Vital Statistics to issue an*
38 *amended birth certificate.*

39 **Sec. 89.** 1. *Except as otherwise provided in subsection 2:*

40 (a) *A signatory to an acknowledgment of parentage or denial*
41 *of parentage is bound by the acknowledgment and denial as*
42 *provided in sections 38 to 51, inclusive, of this act; and*

43 (b) *A party to an adjudication of parentage by a court acting*
44 *under circumstances that satisfy the jurisdiction requirements of*



1 *NRS 130.201 and any person who received notice of the*
2 *proceeding are bound by the adjudication.*

3 2. *A child is not bound by a determination of parentage under*
4 *sections 28 to 91, inclusive, of this act unless:*

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

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

11 (c) *The determination of parentage was made under NRS*
12 *126.500 to 126.810, inclusive, and sections 92 and 93 of this act;*
13 *or*

14 (d) *The child was a party or was represented by a guardian ad*
15 *litem in the proceeding.*

16 3. *In a proceeding for divorce, dissolution, annulment,*
17 *declaration of invalidity, legal separation or separate*
18 *maintenance, the court is deemed to have made an adjudication of*
19 *parentage of a child if the court acts under circumstances that*
20 *satisfy the jurisdiction requirements of NRS 130.201 and the final*
21 *order:*

22 (a) *Expressly identifies the child as a “child of the marriage”*
23 *or “issue of the marriage” or includes similar words indicating*
24 *that both spouses are parents of the child; or*

25 (b) *Provides for support of the child by a spouse or domestic*
26 *partner unless that spouse’s or domestic partner’s parentage of*
27 *the child is disclaimed specifically in the order.*

28 4. *Except as otherwise provided in subsection 2 or section 79*
29 *of this act, a determination of parentage may be asserted as a*
30 *defense in a subsequent proceeding seeking to adjudicate*
31 *parentage of a person who was not a party to the earlier*
32 *proceeding.*

33 5. *A party to an adjudication of parentage may challenge the*
34 *adjudication only under law of this State other than sections 28 to*
35 *91, inclusive, of this act relating to appeal, vacation of judgment*
36 *or other judicial review.*

37 **Sec. 90.** *In applying and construing this uniform act,*
38 *consideration must be given to the need to promote uniformity of*
39 *the law with respect to its subject matter among states that enact it.*

40 **Sec. 91.** *Sections 28 to 91, inclusive, of this act modify, limit*
41 *and supersede the Electronic Signatures in Global and National*
42 *Commerce Act, 15 U.S.C. §§ 7001 et seq., but do not modify, limit*
43 *or supersede Section 101(c) of that act, 15 U.S.C. § 7001(c), or*
44 *authorize electronic delivery of any of the notices described in*
45 *Section 103(b) of that act, 15 U.S.C. § 7003(b).*



1 **Sec. 92. 1.** *If a person who intends to be a parent of a child*
2 *conceived by assisted reproduction dies during the period between*
3 *the transfer of a gamete or embryo and the birth of the child, the*
4 *person's death does not preclude the establishment of the person's*
5 *parentage of the child if the person otherwise would be a parent of*
6 *the child under sections 28 to 91, inclusive, of this act.*

7 2. *If a person who consented in a record to assisted*
8 *reproduction by a person who agreed to give birth to a child dies*
9 *before a transfer of gametes or embryos, the deceased person is a*
10 *parent of a child conceived by the assisted reproduction only if:*

11 (a) *Either:*

12 (1) *The person consented in a record that if assisted*
13 *reproduction were to occur after the death of the person, the*
14 *person would be a parent of the child; or*

15 (2) *The person's intent to be a parent of a child conceived*
16 *by assisted reproduction after the person's death is established by*
17 *clear and convincing evidence; and*

18 (b) *Either:*

19 (1) *The embryo is in utero not later than 36 months after*
20 *the person's death; or*

21 (2) *The child is born not later than 45 months after the*
22 *person's death.*

23 3. *An intended parent is not a parent of a child conceived by*
24 *assisted reproduction under a gestational agreement if the*
25 *intended parent dies before the transfer of a gamete or embryo*
26 *unless:*

27 (a) *The agreement provides otherwise; and*

28 (b) *The transfer of a gamete or embryo occurs not later than*
29 *36 months after the death of the intended parent or birth of the*
30 *child occurs not later than 45 months after the death of the*
31 *intended parent.*

32 **Sec. 93. 1.** *A party to a gestational agreement may*
33 *terminate the agreement, at any time before an embryo transfer,*
34 *by giving notice of termination in a record to all other parties. If*
35 *an embryo transfer does not result in a pregnancy, a party may*
36 *terminate the agreement at any time before a subsequent embryo*
37 *transfer.*

38 2. *Unless a gestational agreement provides otherwise, on*
39 *termination of the agreement under subsection 1, the parties are*
40 *released from the agreement, except that each intended parent*
41 *remains responsible for expenses that are reimbursable under the*
42 *agreement and incurred by the gestational carrier through the*
43 *date of termination.*

44 3. *Except in a case involving fraud, neither a gestational*
45 *carrier nor the gestational carrier's spouse, domestic partner or*



1 *former spouse or domestic partner, if any, is liable to the intended*
2 *parent or parents for a penalty or liquidated damages, for*
3 *terminating a gestational agreement under this section.*

4 **Sec. 94.** NRS 126.151 is hereby amended to read as follows:

5 126.151 1. ~~[An action under this chapter is a civil action~~
6 ~~governed by the Nevada Rules of Civil Procedure. The mother of~~
7 ~~the child and the alleged father are competent to testify and may be~~
8 ~~compelled to testify. Subsections 3 and 4 of NRS 126.111 and NRS~~
9 ~~126.121 and 126.131 apply.~~

10 ~~—2.]~~ In an action against an alleged ~~[father,]~~ *genetic parent*,
11 evidence offered by the alleged ~~[father]~~ *genetic parent* with respect
12 to ~~[a man]~~ *another person* who is not subject to the jurisdiction of
13 the court concerning that ~~[man's]~~ *person's* sexual intercourse with
14 the ~~[mother]~~ *person who gave birth to the child* at or about the
15 probable time of conception of the child is admissible in evidence
16 only if the alleged ~~[father]~~ *genetic parent* has undergone and made
17 available to the court ~~[blood tests or tests for genetic identification,]~~
18 the results of *genetic testing performed pursuant to sections 52 to*
19 *68, inclusive, of this act* which show a probability less than 99
20 percent that the alleged ~~[father]~~ *genetic parent* is ~~[the father]~~ *a*
21 *genetic parent* of the child.

22 ~~[3.]~~ 2. The trial must be by the court without a jury.

23 **Sec. 95.** NRS 126.161 is hereby amended to read as follows:

24 126.161 1. A judgment or order of a court, or a judgment or
25 order entered pursuant to an expedited process, determining the
26 existence or nonexistence of the relationship of parent and child is
27 determinative for all purposes.

28 2. If such a judgment or order of this State is at variance with
29 the child's birth certificate, the judgment or order must direct that a
30 new birth certificate be issued as provided in NRS 440.270 to
31 440.340, inclusive.

32 3. If the child is a minor, such a judgment or order of this State
33 must provide for the child's support as required by chapter 125B of
34 NRS and must include an order directing the withholding or
35 assignment of income for the payment of the support unless:

36 (a) One of the parties demonstrates and good cause is found by
37 the court, or pursuant to the expedited process, for the postponement
38 of the withholding or assignment; or

39 (b) All parties otherwise agree in writing.

40 4. Such a judgment or order of this State may:

41 (a) Contain any other provision directed against the appropriate
42 party to the proceeding, concerning the duty of support, the custody
43 and guardianship of the child, visitation with the child, the
44 furnishing of bond or other security for the payment of the
45 judgment, or any other matter in the best interest of the child.



1 (b) Direct ~~[the father]~~ *a parent* to pay the reasonable expenses of
2 the ~~[mother's]~~ pregnancy and confinement ~~[]~~ *of the person who*
3 *gave birth to the child.* The court may limit the ~~[father's]~~ liability *of*
4 *a parent* for past support of the child to the proportion of the
5 expenses already incurred which the court deems just.

6 5. A court that enters such a judgment or order shall ensure that
7 the social security numbers of the ~~[mother and father]~~ *parents* are:

8 (a) Provided to the Division of Welfare and Supportive Services
9 of the Department of Health and Human Services.

10 (b) Placed in the records relating to the matter and, except as
11 otherwise required to carry out a specific statute, maintained in a
12 confidential manner.

13 6. A judgment or order issued pursuant to this chapter within a
14 proceeding held pursuant to chapter 432B of NRS:

15 (a) Is not subject to the provisions relating to the confidentiality
16 of judgments or orders set forth in chapter 432B of NRS; and

17 (b) Is a final order.

18 7. As used in this section, "expedited process" means ~~fa~~
19 ~~voluntary acknowledgment of paternity developed by the State~~
20 ~~Board of Health pursuant to NRS 440.283,~~ a voluntary
21 acknowledgment of parentage developed by the State Board of
22 Health pursuant to NRS 440.285, judicial procedure or an
23 administrative procedure established by this or another state, as that
24 term is defined in NRS 130.10179, to facilitate the collection of an
25 obligation for the support of a child.

26 **Sec. 96.** NRS 126.201 is hereby amended to read as follows:

27 126.201 1. ~~[At the pretrial hearing and in further~~
28 ~~proceedings.]~~ *In any proceeding held pursuant to this chapter,* any
29 party may be represented by counsel. If a party is financially unable
30 to obtain counsel, the court may appoint counsel to represent that
31 party with respect to the determination of the existence or
32 nonexistence of the parent and child relationship and the duty of
33 support, including , without limitation , the expenses of the
34 ~~[mother's]~~ pregnancy and confinement ~~[]~~ *of the person who gave*
35 *birth to the child,* medical expenses for the birth of the child and
36 support of the child from birth until trial.

37 2. If a party is financially unable to pay the cost of a transcript,
38 the court shall furnish on request a transcript for purposes of appeal.

39 **Sec. 97.** NRS 126.291 is hereby amended to read as follows:

40 126.291 1. Proceedings to compel support by a
41 nonsupporting parent may be brought in accordance with this
42 chapter. They are not exclusive of other proceedings. The court may
43 assess the usual filing fees, charges or court costs against the
44 nonsupporting parent and shall enforce their collection with the
45 other provisions of the judgment.



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

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

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

10 3. If the court finds that a parent and child relationship exists, it
11 may assess against the nonsupporting parent, in addition to any
12 support obligation ordered a reasonable collection fee. If the court
13 finds that the nonsupporting parent would experience a financial
14 hardship if required to pay the fee immediately, it may order that the
15 fee be paid in installments, each of which is not more than 25
16 percent of the support obligation for each month.

17 4. All fees collected pursuant to this section must be deposited
18 in the general fund of the county and an equivalent amount must be
19 allocated to augment the county's program for the enforcement of
20 support obligations.

21 *5. As used in this section, "nonsupporting parent" means the*
22 *parent of a child who has failed to provide an equitable share of*
23 *his or her child's necessary maintenance, education and support.*

24 **Sec. 98.** NRS 126.500 is hereby amended to read as follows:

25 126.500 As used in NRS 126.500 to 126.810, inclusive, *and*
26 *sections 92 and 93 of this act*, unless the context otherwise requires,
27 the words and terms defined in NRS ~~[126.510]~~ *126.520* to
28 ~~[126.630,]~~ *126.580*, inclusive, have the meanings ascribed to them
29 in those sections.

30 **Sec. 99.** NRS 126.660 is hereby amended to read as follows:

31 126.660 *1.* A donor is not a parent of a child conceived by
32 means of assisted reproduction.

33 *2. The consent of the spouse or domestic partner of a person*
34 *who wishes to be a donor is not required for the person to be a*
35 *donor.*

36 **Sec. 100.** NRS 126.670 is hereby amended to read as follows:

37 126.670 A person who provides gametes for, or consents to,
38 assisted reproduction by ~~[a woman,]~~ *the person giving birth to the*
39 *child* as provided in NRS 126.680, with the intent to be a parent of
40 ~~[her]~~ *the child*, is a parent of the resulting child.

41 **Sec. 101.** NRS 126.680 is hereby amended to read as follows:

42 126.680 *1.* ~~[Consent]~~ *Except as otherwise provided in*
43 *subsection 2, consent* by a person who intends to be a parent of a
44 child born by assisted reproduction must be in a ~~[declaration for the~~
45 ~~voluntary acknowledgment of parentage, signed pursuant to NRS~~



1 ~~126.053.~~ *record signed by the person giving birth to the child and*
2 *the person who intends to be a parent of the child.*

3 2. Failure ~~[of a person to sign a declaration for the voluntary~~
4 ~~acknowledgment of parentage]~~ *to consent in a record as* required
5 by subsection 1, before or after the birth of the child, does not
6 preclude a finding of parentage if ~~[the woman and]~~ the person ~~;~~
7 ~~during]~~ *who intends to be a parent of the child or the person giving*
8 *birth to the child:*

9 (a) *Proves by clear and convincing evidence the existence of*
10 *an express agreement entered into by the person who intends to be*
11 *a parent of the child and the person giving birth to the child,*
12 *before the conception of the child, that the person who intends to*
13 *be a parent of the child and the person giving birth to the child*
14 *intended that they both would be parents of the child; or*

15 (b) *During* the first 2 years of the child's life, *including any*
16 *period of temporary absence*, resided together in the same
17 household with the child and openly held out the child as their own.

18 **Sec. 102.** NRS 126.690 is hereby amended to read as follows:

19 126.690 1. Except as otherwise provided in subsection 2, the
20 legal spouse or domestic partner of a ~~[woman]~~ *person* who gives
21 birth to a child by means of assisted reproduction may not challenge
22 the parentage of the child unless:

23 (a) Within 2 years after learning of the birth of the child, a
24 proceeding is commenced to adjudicate parentage; and

25 (b) The court finds that, before or after the birth of the child, the
26 legal spouse or domestic partner did not consent to the assisted
27 reproduction.

28 2. A proceeding to adjudicate parentage may be maintained at
29 any time if the court determines that:

30 (a) The legal spouse or domestic partner did not provide
31 gametes for, or consent to, the assisted reproduction by the person
32 who gave birth ~~;~~ *to the child;*

33 (b) The legal spouse or domestic partner and the ~~[woman]~~
34 *person* who gave birth to the child have not cohabited since the
35 probable time of the assisted reproduction; and

36 (c) The legal spouse or domestic partner never openly held out
37 the child as his or her own.

38 **Sec. 103.** NRS 126.700 is hereby amended to read as follows:

39 126.700 1. If a marriage or domestic partnership is dissolved
40 or terminated before the transfer of ~~[eggs, sperm or]~~ embryos, the
41 former spouse or former domestic partner is not a parent of the
42 resulting child unless the former spouse or former domestic partner
43 consented in a record that if assisted reproduction were to occur
44 after a dissolution or termination, the former spouse or former
45 domestic partner would be a parent of the child.



1 2. The consent of a person to assisted reproduction may be
2 withdrawn by that person in a record at any time before ~~[placement]~~
3 *transfer* of the ~~[eggs, sperm or]~~ embryos.

4 **Sec. 104.** NRS 126.710 is hereby amended to read as follows:

5 126.710 1. A prospective gestational carrier, ~~[her]~~ *the* legal
6 spouse or domestic partner , if ~~[she is married or in a domestic~~
7 ~~partnership,]~~ *any, of the prospective gestational carrier,* a donor or
8 the donors and the intended parent or parents may enter into a
9 written agreement providing that:

10 (a) The prospective gestational carrier agrees to pregnancy by
11 means of assisted reproduction;

12 (b) The prospective gestational carrier, ~~[her]~~ *the* legal spouse or
13 domestic partner , if ~~[she is married or in a domestic partnership,]~~
14 *any, of the prospective gestational carrier,* and the donor or donors
15 relinquish all rights and duties as the parents of a child conceived
16 through assisted reproduction; and

17 (c) The intended parent or parents become the parent or parents
18 of any resulting child.

19 2. If two persons are the intended parents, both of the intended
20 parents must be parties to the gestational agreement.

21 3. A gestational agreement is enforceable only if it satisfies the
22 requirements of NRS 126.750.

23 4. A gestational agreement may provide for payment of
24 consideration pursuant to NRS 126.800 and 126.810.

25 **Sec. 105.** NRS 126.720 is hereby amended to read as follows:

26 126.720 *Except as otherwise provided in section 92 of this*
27 *act:*

28 1. If a gestational carrier arrangement satisfies the requirements
29 of NRS 126.740 and 126.750:

30 (a) The intended parent or parents shall be considered the parent
31 or parents of the resulting child immediately upon the birth of the
32 child;

33 (b) The resulting child shall be considered the child of the
34 intended parent or parents immediately upon the birth of the child;

35 (c) Parental rights vest in the intended parent or parents
36 immediately upon the birth of the resulting child;

37 (d) Sole legal and physical custody of the resulting child vest
38 with the intended parent or parents immediately upon the birth of
39 the child; and

40 (e) Neither the gestational carrier nor ~~[her]~~ *the* legal spouse or
41 domestic partner, if any, *of the gestational carrier* shall be
42 considered the parent of the resulting child.

43 2. If a gestational carrier arrangement satisfies the requirements
44 of NRS 126.740 and 126.750 and if, because of a laboratory error,
45 the resulting child is not genetically related to the intended parent or



1 either of the intended parents or any donor who donated to the
2 intended parent or parents, the intended parent or parents shall be
3 considered the parent or parents of the child, unless a determination
4 to the contrary is made by a court of competent jurisdiction in an
5 action which may only be brought by one or more genetic parents of
6 the resulting child within 60 days after the birth of the child.

7 3. The parties to a gestational carrier arrangement shall assume
8 the rights and obligations of subsections 1 and 2 if:

9 (a) The gestational carrier satisfies the eligibility requirements
10 set forth in subsection 1 of NRS 126.740;

11 (b) The intended parent or parents satisfy the requirement set
12 forth in subsection 2 of NRS 126.740; and

13 (c) The gestational carrier arrangement occurs pursuant to a
14 gestational agreement which meets the requirements set forth in
15 NRS 126.750.

16 4. Before or after the birth of the resulting child, the intended
17 parent or parents or the prospective gestational carrier or gestational
18 carrier may commence a proceeding in any district court in this
19 State to obtain an order designating the content of the birth
20 certificate issued as provided in NRS 440.270 to 440.340, inclusive.
21 If:

22 (a) A copy of the gestational agreement is attached to the
23 petition;

24 (b) The requirements of NRS 126.740 and 126.750 are satisfied;
25 and

26 (c) Any of the following applies:

27 (1) The resulting child is anticipated to be born in this State;

28 (2) The resulting child was born in this State;

29 (3) The intended parent or parents reside in this State;

30 (4) The intended parent or parents resided in this State when
31 the gestational agreement was executed;

32 (5) The gestational carrier resides in this State;

33 (6) The gestational agreement was executed in this State; or

34 (7) The medical procedures for assisted reproduction that
35 were performed pursuant to the gestational agreement and resulted
36 in pregnancy were performed in this State,

37 ↪ the court may issue an order validating the gestational agreement
38 and declaring the intended parent or parents to be the parent or
39 parents of the resulting child.

40 **Sec. 106.** NRS 126.740 is hereby amended to read as follows:

41 126.740 1. A prospective gestational carrier is eligible to be a
42 gestational carrier pursuant to NRS 126.710 to 126.810, inclusive,
43 *and sections 92 and 93 of this act* if, at the time the gestational
44 agreement is executed, ~~[she:]~~ *the prospective gestational carrier:*



1 (a) Has completed a medical evaluation relating to the
2 anticipated pregnancy;

3 (b) Has undergone legal consultation with independent legal
4 counsel regarding the terms of the gestational agreement and the
5 potential legal consequences of the gestational carrier arrangement;
6 and

7 (c) Did not contribute any gametes that will ultimately result in
8 an embryo that ~~[she]~~ *the gestational carrier* will attempt to carry to
9 term.

10 2. The intended parent or parents shall be deemed to have
11 satisfied the requirements of NRS 126.710 to 126.810, inclusive,
12 *and sections 92 and 93 of this act* if, before the gestational carrier
13 agreement is executed, ~~[he, she or they]~~ *the intended parent or*
14 *parents* have undergone legal consultation with independent legal
15 counsel regarding the terms of the gestational agreement and the
16 potential legal consequences of the gestational carrier arrangement.

17 **Sec. 107.** NRS 126.750 is hereby amended to read as follows:

18 126.750 1. A gestational agreement is enforceable only if it
19 satisfies the requirements of this section.

20 2. The gestational carrier and the intended parent or parents
21 must be represented by separate, independent counsel in all matters
22 concerning the gestational carrier arrangement and gestational
23 agreement.

24 3. A gestational agreement must:

25 (a) Be in writing;

26 (b) Be executed before the commencement of any medical
27 procedures in furtherance of the gestational carrier arrangement,
28 other than the medical evaluation required by subsection 1 of NRS
29 126.740 to determine the eligibility of the gestational carrier, by:

30 (1) A gestational carrier satisfying the eligibility
31 requirements set forth in subsection 1 of NRS 126.740 and the legal
32 spouse or domestic partner, *if any*, of the gestational carrier; ~~[if~~
33 ~~any;]~~ and

34 (2) An intended parent or parents satisfying the requirement
35 set forth in subsection 2 of NRS 126.740;

36 (c) Be notarized and signed by all the parties with attached
37 declarations of the independent attorney of each party; and

38 (d) Include the separate, written and signed acknowledgment of
39 the gestational carrier and the intended parent or parents stating that
40 he or she has received information about the legal, financial and
41 contractual rights, expectations, penalties and obligations of the
42 gestational agreement.

43 4. A gestational agreement must provide for:

44 (a) The express written agreement of the gestational carrier to:



1 (1) Undergo embryo or gamete transfer and , *subject to the*
2 *provisions of subsection 6*, attempt to carry and give birth to any
3 resulting child; and

4 (2) ~~[Surrender legal and physical custody of any resulting~~
5 ~~child to the] Acknowledge that each~~ intended parent ~~[or parents~~
6 ~~immediately upon the birth] is the legal and physical custodian~~ of
7 ~~[the] any resulting~~ child;

8 (b) The express written agreement of the legal spouse or
9 domestic partner, if any, of the gestational carrier to:

10 (1) Undertake the obligations imposed upon the gestational
11 carrier pursuant to the terms of the gestational agreement; and

12 (2) ~~[Surrender legal and physical custody of any resulting~~
13 ~~child to the] Acknowledge that each~~ intended parent ~~[or parents~~
14 ~~immediately upon the birth] is the legal and physical custodian~~ of
15 ~~[the] any resulting~~ child;

16 (c) The express written agreement of each party to the use by the
17 gestational carrier of the services of a physician ~~[of her choosing,]~~
18 *chosen by the gestational carrier*, after consultation with the
19 intended parent or parents, to provide care to the gestational carrier
20 during the pregnancy; and

21 (d) The express written agreement of the intended parent or
22 parents to:

23 (1) Accept legal and physical custody of any resulting child
24 not biologically related to the gestational carrier or ~~[her] the~~ spouse
25 or domestic partner, if any, *of the gestational carrier* immediately
26 upon the birth of the child or children regardless of the number,
27 gender or mental or physical condition of the child or children; and

28 (2) Assume sole responsibility for the support of any
29 resulting child not biologically related to the gestational carrier or
30 ~~[her] the~~ spouse or domestic partner, if any, *of the gestational*
31 *carrier* immediately upon the birth of the child.

32 5. A gestational agreement is enforceable even if it contains
33 one or more of the following provisions:

34 (a) The gestational carrier's agreement to undergo all medical
35 examinations, treatments and fetal monitoring procedures
36 recommended for the success of the pregnancy by the physician
37 providing care to the gestational carrier during the pregnancy.

38 (b) The gestational carrier's agreement to abstain from any
39 activities that the intended parent or parents or the physician
40 providing care to the gestational carrier during the pregnancy
41 reasonably believes to be harmful to the pregnancy and the future
42 health of any resulting child, including, without limitation, smoking,
43 drinking alcohol, using nonprescribed drugs, using prescription
44 drugs not authorized by a physician aware of the pregnancy,



1 exposure to radiation or any other activity proscribed by a health
2 care provider.

3 (c) The agreement of the intended parent or parents to pay the
4 gestational carrier reasonable compensation.

5 (d) The agreement of the intended parent or parents to pay for or
6 reimburse the gestational carrier for reasonable expenses, including,
7 without limitation, medical, legal or other professional expenses,
8 related to the gestational carrier arrangement and the gestational
9 agreement.

10 *6. A gestational carrier has the right to make all health and*
11 *welfare decisions regarding the gestational carrier and the*
12 *pregnancy of the gestational carrier, including, without limitation,*
13 *whether to consent to a cesarean section or the transfer of*
14 *multiple embryos, whether to use the services of a health care*
15 *practitioner chosen by the gestational carrier, whether to*
16 *terminate or continue the pregnancy and whether to reduce or*
17 *retain the number of fetuses or embryos carried by the gestational*
18 *carrier. Any provision in a gestational agreement that contradicts*
19 *such a right is void and unenforceable.*

20 **Sec. 108.** NRS 126.770 is hereby amended to read as follows:

21 126.770 *1. Unless a gestational agreement expressly*
22 *provides otherwise:*

23 (a) The marriage or domestic partnership of a gestational carrier
24 after ~~[she executes a]~~ *the* gestational agreement *is signed by all*
25 *parties* does not affect the validity of the ~~[gestational]~~ agreement
26 ~~[and:~~

27 ~~—1. The]~~ , *the* consent of the ~~[legal]~~ spouse or domestic partner
28 of the gestational carrier to the ~~[gestational]~~ agreement is not
29 required ~~[.~~

30 ~~—2. The legal]~~ , *and the* spouse or domestic partner of the
31 gestational carrier ~~[must]~~ is not ~~[be]~~ a presumed ~~[to be the]~~ parent of
32 ~~[any resulting]~~ a child ~~[.]~~ *conceived by assisted reproduction under*
33 *the agreement; and*

34 (b) *The divorce, dissolution, annulment, declaration of*
35 *invalidity, legal separation or separate maintenance of the*
36 *gestational carrier after the agreement is signed by all parties does*
37 *not affect the validity of the agreement.*

38 *2. Unless a gestational agreement expressly provides*
39 *otherwise:*

40 (a) *The marriage or domestic partnership of an intended*
41 *parent after the agreement is signed by all parties does not affect*
42 *the validity of a gestational agreement, the consent of the spouse*
43 *or domestic partner of the intended parent is not required, and the*
44 *spouse or domestic partner of the intended parent is not, based on*



1 *the agreement, a parent of a child conceived by assisted*
2 *reproduction under the agreement; and*

3 (b) *The divorce, dissolution, annulment, declaration of*
4 *invalidity, legal separation or separate maintenance of an*
5 *intended parent after the agreement is signed by all parties does*
6 *not affect the validity of the agreement and the intended parents*
7 *are the parents of a child conceived by assisted reproduction under*
8 *the agreement.*

9 **Sec. 109.** NRS 126.780 is hereby amended to read as follows:

10 126.780 1. A gestational carrier, ~~her~~ *the* legal spouse or
11 domestic partner, if any, *of the gestational carrier* or the intended
12 parent or parents are in noncompliance when ~~he, she or they~~
13 ~~breach~~ *any such person breaches* any provision of the gestational
14 agreement or ~~fail~~ *fails* to meet any of the requirements of NRS
15 126.710 to 126.810, inclusive ~~it~~ *, and sections 92 and 93 of this*
16 *act.*

17 2. In the event of noncompliance, a court of competent
18 jurisdiction shall determine the respective rights and obligations of
19 the parties to the gestational agreement ~~based solely~~ *:*

20 (a) *If the agreement substantially complies with NRS 126.710*
21 *to 126.810, inclusive, and sections 92 and 93 of this act, based on*
22 *the evidence of the original intent of the parties it at the time of*
23 *execution of the agreement and other relevant evidence.*

24 (b) *If the agreement does not substantially comply with NRS*
25 *126.710 to 126.810, inclusive, and sections 92 and 93 of this act,*
26 *pursuant to other applicable law of this State.*

27 3. ~~There must be no specific~~ *Specific* performance *is not an*
28 *available* remedy ~~available for breach of the~~ *except to enforce any*
29 *provision in a* gestational agreement ~~by the gestational carrier that~~
30 ~~would require the gestational carrier to be impregnated.~~ *that is*
31 *necessary to enable the intended parents to exercise the full rights*
32 *of parentage immediately upon the birth of the child, if the*
33 *intended parents are being prevented from exercising such rights.*

34 **Sec. 110.** NRS 128.150 is hereby amended to read as follows:

35 128.150 1. If a ~~mother~~ *person who gave birth to a child*
36 *relinquishes or proposes to relinquish the child* for adoption ~~a~~ *and*
37 *the child who* has:

38 (a) A presumed ~~father~~ *parent* pursuant to ~~NRS 126.051;~~
39 *section 37 of this act;*

40 (b) A ~~father~~ *parent* whose relationship to the child has been
41 determined by a court; or

42 (c) A ~~father~~ *parent* as to whom the child is a legitimate child
43 under chapter 126 of NRS, under prior law of this State or under the
44 law of another jurisdiction,



1 ↪ and the **[father] parent** has not consented to the adoption of the
2 child or relinquished the child for adoption, a proceeding must be
3 brought pursuant to this chapter and a determination made of
4 whether a parent and child relationship exists and, if so, if it should
5 be terminated.

6 2. If a **[mother] person who gave birth to a child** relinquishes
7 or proposes to relinquish *the child* for adoption **[a] and the** child
8 **[who]** does not have:

9 (a) A presumed **[father] parent** pursuant to ~~[NRS-126.051;]~~
10 **section 37 of this act;**

11 (b) A **[father] parent** whose relationship to the child has been
12 determined by a court;

13 (c) A **[father] parent** as to whom the child is a legitimate child
14 under chapter 126 of NRS, under prior law of this State or under the
15 law of another jurisdiction; or

16 (d) A **[father] parent** who can be identified in any other way,
17 ↪ or if a child otherwise becomes the subject of an adoption
18 proceeding, the agency or person to whom the child has been or is to
19 be relinquished, or the **[mother] person who gave birth to the child**
20 or the person having custody of the child, shall file a petition in the
21 district court to terminate the parental rights of the **[father,] other**
22 **parent**, unless the **[father's] other parent's** relationship to the child
23 has been previously terminated or determined not to exist by a court.

24 3. In an effort to identify and protect the interests of the
25 **[natural-father,] other parent**, the court which is conducting a
26 proceeding pursuant to this chapter shall cause inquiry to be made of
27 the **[mother] person who gave birth to the child** and any other
28 appropriate person. The inquiry must include the following:

29 (a) Whether the **[mother] person who gave birth to the child**
30 was married *or in a domestic partnership* at the time of conception
31 of the child or at any time thereafter.

32 (b) Whether the **[mother] person who gave birth to the child**
33 was cohabiting with **[a-man] another person** at the time of
34 conception or birth of the child.

35 (c) Whether the **[mother] person who gave birth to the child** has
36 received support payments or promises of support with respect to
37 the child or in connection with **[her] the pregnancy [.] of the person.**

38 (d) Whether any **[man] person** has formally or informally
39 acknowledged or declared **[his] their** possible **[paternity] parentage**
40 of the child.

41 4. If, after the inquiry, the **[natural-father] other parent** is
42 identified to the satisfaction of the court, or if more than one **[man]**
43 **person** is identified as a possible **[father,] parent**, each must be
44 given notice of the proceeding in accordance with subsection 6 or
45 with this chapter, as applicable. If any of them fails to appear or, if



1 appearing, fails to claim custodial rights, such failure constitutes
2 abandonment of the child. If the ~~natural father~~ *other parent* or a
3 ~~man~~ *person* representing ~~himself~~ *themselves* to be the ~~natural~~
4 ~~father,~~ *other parent*, claims custodial rights, the court shall proceed
5 to determine custodial rights.

6 5. If, after the inquiry, the court is unable to identify the
7 ~~natural father~~ *other parent* or any possible ~~natural father~~ *other*
8 *parent* and no person has appeared claiming to be the ~~natural~~
9 ~~father~~ *other parent* and claiming custodial rights, the court shall
10 enter an order terminating the unknown ~~natural father's~~ *person's*
11 parental rights with reference to the child. Subject to the disposition
12 of any appeal, upon the expiration of 6 months after an order
13 terminating parental rights is issued under this subsection, or this
14 chapter, the order cannot be questioned by any person in any
15 manner or upon any ground, including fraud, misrepresentation,
16 failure to give any required notice or lack of jurisdiction of the
17 parties or of the subject matter.

18 6. Notice of the proceeding must be given to every person
19 identified as ~~the natural father~~ *a parent* or a possible ~~natural~~
20 ~~father~~ *parent* in the manner provided by law and the Nevada Rules
21 of Civil Procedure for the service of process in a civil action, or in
22 any manner the court directs. Proof of giving the notice must be
23 filed with the court before the petition is heard.

24 **Sec. 111.** NRS 130.316 is hereby amended to read as follows:

25 130.316 1. The physical presence of a nonresident party who
26 is a natural person in a tribunal of this State is not required for the
27 establishment, enforcement or modification of a support order or the
28 rendition of a judgment determining parentage of a child.

29 2. An affidavit, a document substantially complying with
30 federally mandated forms or a document incorporated by reference
31 in any of them, which would not be excluded under the hearsay rule
32 in NRS 51.065 if given in person, is admissible in evidence if given
33 under penalty of perjury by a party or witness residing outside this
34 State.

35 3. A copy of the record of child-support payments certified as a
36 true copy of the original by the custodian of the record may be
37 forwarded to a responding tribunal. The copy is evidence of facts
38 asserted therein and is admissible to show whether payments were
39 made.

40 4. Copies of bills for testing for parentage of a child, and for
41 prenatal and postnatal health care of the ~~mother~~ *person who gave*
42 *birth to the child* and *the* child, furnished to the adverse party at
43 least 20 days before trial are admissible in evidence to prove the
44 amount of the charges billed and that the charges were reasonable,
45 necessary and customary.



1 5. Documentary evidence transmitted from outside this State to
2 a tribunal of this State by telephone, telecopier or other electronic
3 means that do not provide an original record may not be excluded
4 from evidence on an objection based on the means of transmission.

5 6. In a proceeding under this chapter, a tribunal of this State
6 shall permit a party or witness residing outside this State to be
7 deposed or to testify under penalty of perjury by telephone,
8 audiovisual means or other electronic means at a designated tribunal
9 or other location. A tribunal of this State shall cooperate with other
10 tribunals in designating an appropriate location for the deposition or
11 testimony.

12 7. In a civil proceeding under this chapter, if a party called to
13 testify refuses to answer a question on the ground that the testimony
14 may be self-incriminating, the trier of fact may draw an adverse
15 inference from the refusal.

16 8. A privilege against the disclosure of communications
17 between a married couple *or between domestic partners* does not
18 apply in a proceeding under this chapter.

19 9. The defense of immunity based on the relationship of a
20 married couple , *domestic partners* or parent and child does not
21 apply in a proceeding under this chapter.

22 10. A ~~voluntary acknowledgment of paternity developed by~~
23 ~~the State Board of Health pursuant to NRS 440.283 or a~~ voluntary
24 acknowledgment of parentage developed by the State Board of
25 Health pursuant to NRS 440.285, certified as a true copy, is
26 admissible to establish parentage of the child.

27 **Sec. 112.** NRS 130.401 is hereby amended to read as follows:

28 130.401 1. If a support order entitled to recognition under
29 this chapter has not been issued, a responding tribunal of this State
30 with personal jurisdiction over the parties may issue a support order
31 if:

32 (a) The natural person seeking the order resides outside this
33 State; or

34 (b) The support-enforcement agency seeking the order is located
35 outside this State.

36 2. The tribunal may issue a temporary child-support order if
37 the tribunal determines that such an order is appropriate and the
38 natural person ordered to pay is:

39 (a) A presumed ~~father~~ *parent* of the child under ~~subsection 1~~
40 ~~of NRS 126.051;~~ *section 37 of this act;*

41 (b) Petitioning to have ~~his paternity~~ *their parentage*
42 adjudicated;

43 (c) Identified as the ~~father~~ *parent* of the child through genetic
44 testing;



1 (d) An alleged ~~father~~ *genetic parent* who has declined to
2 submit to genetic testing;

3 (e) Shown by clear and convincing evidence to be the ~~father~~
4 *parent* of the child;

5 (f) An ~~acknowledged father or~~ acknowledged parent as
6 provided by ~~NRS 126.053;~~ *sections 38 to 51, inclusive, of this*
7 *act*;

8 (g) The ~~mother of~~ *person who gave birth to* the child; or

9 (h) A natural person who has been ordered to pay child support
10 in a previous proceeding and the order has not been reversed or
11 vacated.

12 3. Upon finding, after notice and opportunity to be heard, that
13 an obligor owes a duty of support, the tribunal shall issue a support
14 order directed to the obligor and may issue other orders pursuant to
15 NRS 130.305.

16 **Sec. 113.** NRS 3.405 is hereby amended to read as follows:

17 3.405 1. In an action to establish ~~paternity;~~ *parentage*, the
18 court may appoint a master to take testimony and recommend
19 orders.

20 2. The court may appoint a master to hear all cases in a county
21 to establish or enforce an obligation for the support of a child, or to
22 modify or adjust an order for the support of a child pursuant to
23 NRS 125B.145.

24 3. The master must be an attorney licensed to practice in this
25 State. The master:

26 (a) Shall take testimony and establish a record;

27 (b) In complex cases shall issue temporary orders for support
28 pending resolution of the case;

29 (c) Shall make findings of fact, conclusions of law and
30 recommendations for the establishment and enforcement of an
31 order;

32 (d) May accept voluntary acknowledgments of ~~paternity~~
33 *parentage* or liability for support and stipulated agreements setting
34 the amount of support;

35 (e) May, subject to confirmation by the district court, enter
36 default orders against a responsible parent who does not respond to
37 a notice or service within the required time; and

38 (f) Has any other power or duty contained in the order of
39 reference issued by the court.

40 ➤ If a temporary order for support is issued pursuant to paragraph
41 (b), the master shall order that the support be paid to the Division of
42 Welfare and Supportive Services of the Department of Health and
43 Human Services, its designated representative or the district
44 attorney, if the Division of Welfare and Supportive Services or



1 district attorney is involved in the case, or otherwise to an
2 appropriate party to the action, pending resolution of the case.

3 4. The findings of fact, conclusions of law and
4 recommendations of the master must be furnished to each party or
5 the party's attorney at the conclusion of the proceeding or as soon
6 thereafter as possible. Within 10 days after receipt of the findings of
7 fact, conclusions of law and recommendations, either party may file
8 with the court and serve upon the other party written objections to
9 the report. If no objection is filed, the court shall accept the findings
10 of fact, unless clearly erroneous, and the judgment may be entered
11 thereon. If an objection is filed within the 10-day period, the court
12 shall review the matter upon notice and motion.

13 **Sec. 114.** NRS 200.359 is hereby amended to read as follows:

14 200.359 1. A person having a limited right of custody to a
15 child by operation of law or pursuant to an order, judgment or
16 decree of any court, including a judgment or decree which grants
17 another person rights to custody or visitation of the child, or any
18 parent having no right of custody to the child, who:

19 (a) In violation of an order, judgment or decree of any court
20 willfully detains, conceals or removes the child from a parent,
21 guardian or other person having lawful custody or a right of
22 visitation of the child; or

23 (b) In the case of an order, judgment or decree of any court that
24 does not specify when the right to physical custody or visitation is to
25 be exercised, removes the child from the jurisdiction of the court
26 without the consent of either the court or all persons who have the
27 right to custody or visitation,

28 ➔ is guilty of a category D felony and shall be punished as provided
29 in NRS 193.130.

30 2. Except as otherwise provided in this subsection, a parent
31 who has joint legal and physical custody of a child pursuant to NRS
32 125C.0015 shall not willfully conceal or remove the child from the
33 custody of the other parent with the specific intent to frustrate the
34 efforts of the other parent to establish or maintain a meaningful
35 relationship with the child. A person who violates this subsection
36 shall be punished as provided in subsection 1 unless the person
37 demonstrates to the satisfaction of the court that he or she violated
38 this subsection to protect the child or himself or herself from an act
39 that constitutes domestic violence pursuant to NRS 33.018.

40 3. If ~~the mother~~ *a parent* of a child has primary physical
41 custody *of the child* pursuant to ~~subsection 2 of~~ NRS 125C.003,
42 ~~the father~~ *another parent* of the child shall not willfully conceal or
43 remove the child from the physical custody of the ~~mother. If the~~
44 ~~father of a child has~~ *parent who has* primary physical custody .
45 ~~pursuant to subsection 2 of NRS 125C.003, the mother of the child~~



1 ~~shall not willfully conceal or remove the child from the physical~~
2 ~~custody of the father.]~~ A person who violates this subsection shall
3 be punished as provided in subsection 1.

4 4. A parent who has joint physical custody of a child pursuant
5 to an order, judgment or decree of a court shall not relocate with the
6 child pursuant to NRS 125C.0065 without the written consent of
7 the non-relocating parent or before the court enters an order granting
8 the parent primary physical custody of the child and permission to
9 relocate with the child, as applicable. A person who violates this
10 subsection shall be punished as provided in subsection 1.

11 5. A parent who has primary physical custody of a child
12 pursuant to an order, judgment or decree of a court shall not relocate
13 with the child pursuant to NRS 125C.006 without the written
14 consent of the non-relocating parent or the permission of the court.
15 A person who violates this subsection shall be punished as provided
16 in subsection 1.

17 6. Before an arrest warrant may be issued for a violation of this
18 section, the court must find that:

19 (a) This is the home state of the child, as defined in NRS
20 125A.085; and

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

25 7. Upon conviction for a violation of this section, the court
26 shall order the defendant to pay restitution for any expenses incurred
27 in locating or recovering the child.

28 8. The prosecuting attorney may recommend to the judge that
29 the defendant be sentenced as for a misdemeanor and the judge may
30 impose such a sentence if the judge finds that:

31 (a) The defendant has no prior conviction for this offense and
32 the child has suffered no substantial harm as a result of the offense;
33 or

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

36 9. A person who aids or abets any other person to violate this
37 section shall be punished as provided in subsection 1.

38 10. In addition to the exemption set forth in subsection 11,
39 subsections 4 and 5 do not apply to a person who demonstrates a
40 compelling excuse, to the satisfaction of the court, for relocating
41 with a child in violation of NRS 125C.006 or 125C.0065.

42 11. This section does not apply to a person who detains,
43 conceals, removes or relocates with a child to protect the child from
44 the imminent danger of abuse or neglect or to protect himself or
45 herself from imminent physical harm, and reported the detention,



1 concealment, removal or relocation to a law enforcement agency or
2 an agency which provides child welfare services within 24 hours
3 after detaining, concealing, removing or relocating with the child, or
4 as soon as the circumstances allowed. As used in this subsection:

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

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

9 **Sec. 115.** NRS 239.010 is hereby amended to read as follows:

10 239.010 1. Except as otherwise provided in this section and
11 NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.0397, 41.071, 49.095,
12 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030,
13 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152,
14 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413,
15 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345,
16 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270,
17 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280,
18 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640,
19 120A.690, 125.130, 125B.140, ~~126.141~~ 126.161, 126.163,
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31 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420,
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6 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888,
7 408.5484, 412.153, 414.280, 416.070, 422.2749, 422.305,
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9 432.205, 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407,
10 432B.430, 432B.560, 432B.5902, 432C.140, 432C.150, 433.534,
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20 483.363, 483.575, 483.659, 483.800, 484A.469, 484B.830,
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29 631.368, 632.121, 632.125, 632.3415, 632.3423, 632.405, 633.283,
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32 636.262, 636.342, 637.085, 637.145, 637B.192, 637B.288, 638.087,
33 638.089, 639.183, 639.2485, 639.570, 640.075, 640.152, 640A.185,
34 640A.220, 640B.405, 640B.730, 640C.580, 640C.600, 640C.620,
35 640C.745, 640C.760, 640D.135, 640D.190, 640E.225, 640E.340,
36 641.090, 641.221, 641.2215, 641.325, 641A.191, 641A.217,
37 641A.262, 641B.170, 641B.281, 641B.282, 641C.455, 641C.760,
38 641D.260, 641D.320, 642.524, 643.189, 644A.870, 645.180,
39 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,
40 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330,
41 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.126,
42 652.228, 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130,
43 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480,
44 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710,
45 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190,



1 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410,
2 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306,
3 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480,
4 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536,
5 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550,
6 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159,
7 711.600, sections 35, 38 and 41 of chapter 478, Statutes of Nevada
8 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and
9 unless otherwise declared by law to be confidential, all public books
10 and public records of a governmental entity must be open at all
11 times during office hours to inspection by any person, and may be
12 fully copied or an abstract or memorandum may be prepared from
13 those public books and public records. Any such copies, abstracts or
14 memoranda may be used to supply the general public with copies,
15 abstracts or memoranda of the records or may be used in any other
16 way to the advantage of the governmental entity or of the general
17 public. This section does not supersede or in any manner affect the
18 federal laws governing copyrights or enlarge, diminish or affect in
19 any other manner the rights of a person in any written book or
20 record which is copyrighted pursuant to federal law.

21 2. A governmental entity may not reject a book or record
22 which is copyrighted solely because it is copyrighted.

23 3. A governmental entity that has legal custody or control of a
24 public book or record shall not deny a request made pursuant to
25 subsection 1 to inspect or copy or receive a copy of a public book or
26 record on the basis that the requested public book or record contains
27 information that is confidential if the governmental entity can
28 redact, delete, conceal or separate, including, without limitation,
29 electronically, the confidential information from the information
30 included in the public book or record that is not otherwise
31 confidential.

32 4. If requested, a governmental entity shall provide a copy of a
33 public record in an electronic format by means of an electronic
34 medium. Nothing in this subsection requires a governmental entity
35 to provide a copy of a public record in an electronic format or by
36 means of an electronic medium if:

37 (a) The public record:

38 (1) Was not created or prepared in an electronic format; and

39 (2) Is not available in an electronic format; or

40 (b) Providing the public record in an electronic format or by
41 means of an electronic medium would:

42 (1) Give access to proprietary software; or

43 (2) Require the production of information that is confidential
44 and that cannot be redacted, deleted, concealed or separated from
45 information that is not otherwise confidential.



1 5. An officer, employee or agent of a governmental entity who
2 has legal custody or control of a public record:

3 (a) Shall not refuse to provide a copy of that public record in the
4 medium that is requested because the officer, employee or agent has
5 already prepared or would prefer to provide the copy in a different
6 medium.

7 (b) Except as otherwise provided in NRS 239.030, shall, upon
8 request, prepare the copy of the public record and shall not require
9 the person who has requested the copy to prepare the copy himself
10 or herself.

11 **Sec. 116.** NRS 422A.585 is hereby amended to read as
12 follows:

13 422A.585 1. The Division shall, within the limitations of
14 available funding, establish a program which promotes the self-
15 sufficiency of a ~~[natural father]~~ *parent* whose ~~[paternity]~~ *parentage*
16 is presumed pursuant to ~~[NRS 126.051]~~ *section 37 of this act* or a
17 noncustodial parent of a child for whom benefits are being received
18 by a household.

19 2. If a ~~[natural father]~~ *parent* whose ~~[paternity]~~ *parentage* is
20 presumed pursuant to ~~[NRS 126.051]~~ *section 37 of this act* or a
21 noncustodial parent of a child for whom benefits are being received
22 by a household chooses to participate in the program established
23 pursuant to subsection 1, the Division may, within the limitations of
24 available funding, increase the amount of benefits provided to the
25 head of the household on behalf of the child.

26 **Sec. 117.** NRS 432B.560 is hereby amended to read as
27 follows:

28 432B.560 1. The court may also order:

29 (a) The child, a parent or the guardian to undergo such medical,
30 psychiatric, psychological, or other care or treatment as the court
31 considers to be in the best interests of the child.

32 (b) A parent or guardian to refrain from:

33 (1) Any harmful or offensive conduct toward the child, the
34 other parent, the custodian of the child or the person given physical
35 custody of the child; and

36 (2) Visiting the child if the court determines that the
37 visitation is not in the best interest of the child.

38 (c) A reasonable right of visitation for a grandparent of the child
39 if the child is not permitted to remain in the custody of the parents
40 of the child.

41 (d) Tests for the typing of blood or taking of specimens for
42 genetic identification ~~[of the child, the natural mother of the child or~~
43 ~~the alleged father of the child]~~ pursuant to ~~[NRS 126.121.]~~ *sections*
44 *52 to 68, inclusive, of this act.*



2. The court shall order a parent or guardian to pay to the custodian an amount sufficient to support the child while the child is in the care of the custodian pursuant to an order of the court, unless the child was delivered to a provider of emergency services pursuant to NRS 432B.630. Payments for the obligation of support must be determined in accordance with the guidelines established by the Administrator of the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.620, but must not exceed the reasonable cost of the child's care, including food, shelter, clothing, medical care and education. An order for support made pursuant to this subsection must:

(a) Require that payments be made to the appropriate office or office;

(b) Provide that the custodian is entitled to a lien on the obligor's property in the event of nonpayment of support; and

(c) Provide for the immediate withholding of income for the payment of support unless:

(1) All parties enter into an alternative written agreement; or

(2) One party demonstrates and the court finds good cause to postpone the withholding.

3. A court that enters an order pursuant to subsection 2 shall ensure that the social security number of the parent or guardian who is the subject of the order is:

(a) Provided to the Division of Welfare and Supportive Services of the Department of Health and Human Services.

(b) Placed in the records relating to the matter and, except as otherwise required to carry out a specific statute, maintained in a confidential manner.

Sec. 118. NRS 440.280 is hereby amended to read as follows:

440.280 1. If a birth occurs in a hospital or the person ~~giving~~ *who gave birth to a child* and *the* child are immediately transported to a hospital, the person in charge of the hospital or his or her designated representative shall obtain the necessary information, prepare a birth certificate, secure the signatures required by the certificate and file it within 10 days with the health officer of the registration district where the birth occurred. The physician in attendance shall provide the medical information required by the certificate and certify to the fact of birth within 72 hours after the birth. If the physician does not certify to the fact of birth within the required 72 hours, the person in charge of the hospital or the designated representative shall complete and sign the certification.

2. If a birth occurs outside a hospital and the person ~~giving~~ *who gave birth to a child* and *the* child are not immediately transported to a hospital, the birth certificate must be prepared and



1 filed by one of the following persons in the following order of
2 priority:

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

4 (b) Any other person in attendance at or immediately after the
5 birth.

6 (c) ~~[(The person giving birth or other)]~~ A parent or, if ~~[(the other)]~~
7 *each* parent is absent ~~[(and the person giving birth is)]~~ *or*
8 incapacitated, the person in charge of the premises where the birth
9 occurred.

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

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

15 5. If the person ~~[(giving)]~~ *who gave* birth *to a child* was:

16 (a) Married *or in a domestic partnership* at the time of *the* birth,
17 the name of the spouse *or domestic partner* of ~~[(that)]~~ *the* person *who*
18 *gave birth* must be entered on the certificate as the other parent of
19 the child unless:

20 (1) A court has issued an order establishing that a person
21 other than the spouse *or domestic partner* of the person ~~[(giving)]~~
22 *who gave* birth is the other parent of the child; or

23 (2) The person ~~[(giving)]~~ *who gave* birth and a person other
24 than the spouse *or domestic partner* of the person ~~[(giving)]~~ *who*
25 *gave* birth have signed ~~[(a declaration for the voluntary~~
26 ~~acknowledgment of paternity developed by the Board pursuant to~~
27 ~~NRS 440.283 or)]~~ a declaration for the voluntary acknowledgment of
28 parentage developed by the Board pursuant to NRS 440.285 ~~[()]~~ *and*
29 *the spouse or domestic partner of the person who gave birth has*
30 *signed a voluntary denial of parentage developed by the Board*
31 *pursuant to NRS 440.285.*

32 (b) Widowed at the time of birth but married *or in a domestic*
33 *partnership* at the time of conception, the name of the spouse *or*
34 *domestic partner* of the person ~~[(giving)]~~ *who gave* birth at the time
35 of conception must be entered on the certificate as the other parent
36 of the child unless:

37 (1) A court has issued an order establishing that a person
38 other than the spouse *or domestic partner* of the person ~~[(giving)]~~
39 *who gave* birth at the time of conception is the other parent of the
40 child; or

41 (2) The person ~~[(giving)]~~ *who gave* birth and a person other
42 than the spouse *or domestic partner* of the person ~~[(giving)]~~ *who*
43 *gave* birth at the time of conception have signed ~~[(a declaration for~~
44 ~~the voluntary acknowledgment of paternity developed by the Board~~
45 ~~pursuant to NRS 440.283 or)]~~ a declaration for the voluntary



1 acknowledgment of parentage developed by the Board pursuant to
2 NRS 440.285 ~~[-]~~ *and the spouse or domestic partner of the person*
3 *who gave birth has signed a voluntary denial of parentage*
4 *developed by the Board pursuant to NRS 440.285.*

5 6. If the person ~~[giving]~~ *who gave* birth was unmarried *and not*
6 *in a domestic partnership* at the time of *the* birth, the name of the
7 other parent may be entered on the original certificate of birth only
8 if:

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

11 (b) A court has issued an order establishing that the person is the
12 other parent of the child; or

13 (c) The parents of the child have signed ~~[a declaration for the~~
14 ~~voluntary acknowledgment of paternity developed by the Board~~
15 ~~pursuant to NRS 440.283 or]~~ a declaration for the voluntary
16 acknowledgment of parentage developed by the Board pursuant to
17 NRS 440.285. If both parents execute a declaration consenting to
18 the use of the surname of one parent as the surname of the child, the
19 name of that parent must be entered on the original certificate of
20 birth and the surname of that parent must be entered thereon as the
21 surname of the child.

22 7. An order entered or a declaration executed pursuant to
23 subsection 6 must be submitted to the local health officer, the local
24 health officer's authorized representative, or the attending physician
25 or midwife before a proper certificate of birth is forwarded to the
26 State Registrar. The order or declaration must then be delivered to
27 the State Registrar for filing. The State Registrar's file of orders and
28 declarations must be sealed and the contents of the file may be
29 examined only upon order of a court of competent jurisdiction or at
30 the request of either parent or the Division of Welfare and
31 Supportive Services of the Department of Health and Human
32 Services as necessary to carry out the provisions of 42 U.S.C. §
33 654a. The local health officer shall complete the original certificate
34 of birth in accordance with subsection 6 and other provisions of this
35 chapter.

36 8. As used in this section, "court" has the meaning ascribed to
37 it in NRS 125B.004.

38 **Sec. 119.** NRS 440.285 is hereby amended to read as follows:

39 440.285 1. The Board shall:

40 (a) Develop ~~[a declaration]~~ *declarations* to be signed under
41 penalty of perjury for the voluntary acknowledgment of parentage
42 *and the voluntary denial of parentage* in this State ~~[-]~~ *pursuant to*
43 *sections 38 to 51, inclusive, of this act;* and

44 (b) Distribute the declarations to each hospital or freestanding
45 birthing center in this State.



1 2. Before providing a declaration for the acknowledgment of
2 parentage *or denial of parentage* to ~~{the person who gave birth to a~~
3 ~~child or}~~ a person who wishes to acknowledge *or deny* the parentage
4 of a child, the agencies described in paragraph (b) of subsection 1
5 shall ensure that ~~{the person who gave birth and}~~ the person who
6 wishes to acknowledge *or deny* parentage ~~{are}~~ *is* given notice,
7 orally and in writing, of the rights, responsibilities and legal
8 consequences of, and the alternatives to, signing the declaration for
9 the acknowledgment of parentage ~~{}~~ *or declaration for the denial*
10 *of parentage.*

11 **Sec. 120.** NRS 440.287 is hereby amended to read as follows:

12 440.287 1. If a person who has given birth or a person who
13 has signed ~~{a declaration for the voluntary acknowledgment of~~
14 ~~paternity developed by the Board pursuant to NRS 440.283 or}~~ a
15 declaration for the voluntary acknowledgment of parentage
16 developed by the Board pursuant to NRS 440.285 with the person
17 who has given birth rescinds the acknowledgment pursuant to
18 ~~{subsection 2 of NRS 126.053,}~~ *section 45 of this act,* the State
19 Registrar shall not issue a new certificate of birth to remove the
20 name of the person who originally acknowledged ~~{paternity or}~~
21 parentage ~~{, as applicable,}~~ unless a court issues an order
22 establishing that the person who acknowledged ~~{paternity or}~~
23 parentage ~~{, as applicable,}~~ is not the ~~{father or}~~ parent ~~{, as~~
24 ~~applicable,}~~ of the child.

25 2. As used in this section, “court” has the meaning ascribed to
26 it in NRS 125B.004.

27 **Sec. 121.** NRS 440.319 is hereby amended to read as follows:

28 440.319 1. Whenever the State Registrar receives an order
29 issued by a district court in this State pursuant to subsection 4 of
30 NRS 126.720 validating a gestational agreement and declaring the
31 intended parent or parents to be the parent or parents of the resulting
32 child, the State Registrar shall prepare and file a certificate of birth
33 in the name of the child which shows the intended parent or parents
34 as the parent or parents of the child and seal and file the order and
35 the original certificate of birth, if any. Unless the court order is
36 issued by a district court in this State for an action which was
37 originally commenced in this State, a court order concerning a
38 gestational agreement is not valid for any purpose in this State as it
39 relates to a child born in this State, including, without limitation, the
40 preparation and filing of a certificate of birth by the State Registrar.

41 2. As used in this section:

42 (a) “Gestational agreement” has the meaning ascribed to it in
43 NRS 126.570.

44 (b) “Intended parent” has the meaning ascribed to it in ~~{NRS~~
45 ~~126.590,}~~ *section 16 of this act.*



1 **Sec. 122.** NRS 440.325 is hereby amended to read as follows:
2 440.325 1. In the case of the ~~{paternity or}~~ parentage of a
3 child being established by the:

4 (a) ~~{Person who gave birth and other parent acknowledging~~
5 ~~paternity of a child by signing a declaration for the voluntary~~
6 ~~acknowledgment of paternity developed by the Board pursuant to~~
7 ~~NRS 440.283;~~

8 —(b)} Person who gave birth *to the child* and another person
9 acknowledging parentage of the child by signing a declaration for
10 the voluntary acknowledgment of parentage developed by the Board
11 pursuant to NRS 440.285; or

12 ~~{(e)}~~ (b) Order of a district court,
13 ↪ the State Registrar, upon the receipt of the declaration or court
14 order, shall prepare a new certificate of birth in the name of the
15 child as shown in the declaration or order with no reference to the
16 fact of legitimation.

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

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

23 4. The State Registrar shall, upon the request of the Division of
24 Welfare and Supportive Services of the Department of Health and
25 Human Services, open a file that has been sealed pursuant to
26 subsection 3 to allow the Division to compare the information
27 contained in the declaration or order upon which the new certificate
28 was made with the information maintained pursuant to 42 U.S.C. §
29 654a.

30 **Sec. 123.** NRS 449.246 is hereby amended to read as follows:

31 449.246 1. Before discharging ~~{an unmarried woman who~~
32 ~~has borne}~~ *a person who gave birth to* a child, a hospital or
33 freestanding birthing center shall provide to the child's parents:

34 (a) The opportunity to sign, in the hospital, a declaration for the
35 voluntary acknowledgment of ~~{paternity}~~ *parentage* developed
36 pursuant to NRS ~~{440.283;}~~ *440.285 and, if applicable, a voluntary*
37 *denial of parentage developed pursuant to NRS 440.285;*

38 (b) Written materials about establishing ~~{paternity;}~~ *parentage;*

39 (c) The forms necessary to acknowledge ~~{paternity}~~ *or deny*
40 *parentage* voluntarily;

41 (d) A written description of the rights and responsibilities of
42 acknowledging ~~{paternity;}~~ *parentage;* and

43 (e) The opportunity to speak by telephone with personnel of the
44 program for enforcement of child support who are trained to clarify



1 information and answer questions about the establishment of
2 ~~[paternity.]~~ *parentage*.

3 2. The Administrator of the Division of Welfare and
4 Supportive Services of the Department of Health and Human
5 Services shall adopt the regulations necessary to ensure that the
6 services provided by a hospital or freestanding birthing center
7 pursuant to this section are in compliance with the regulations
8 adopted by the Secretary of Health and Human Services pursuant to
9 42 U.S.C. § 666(a)(5)(C).

10 **Sec. 124.** NRS 629.151 is hereby amended to read as follows:

11 629.151 It is unlawful to obtain any genetic information of a
12 person without first obtaining the informed consent of the person or
13 the person's legal guardian pursuant to NRS 629.181, unless the
14 information is obtained:

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

17 2. ~~[To determine the parentage or identity of a person pursuant~~
18 ~~to NRS 56.020;~~

19 ~~—3.]~~ To determine the ~~[paternity.]~~ *parentage* of a person pursuant
20 to NRS ~~[126.121 or]~~ 425.384 ~~;~~

21 ~~—4.]~~ *or sections 52 to 68, inclusive, of this act;*

22 3. For use in a study where the identities of the persons from
23 whom the genetic information is obtained are not disclosed to the
24 person conducting the study;

25 ~~[5.]~~ 4. To determine the presence of certain preventable or
26 inheritable disorders in an infant pursuant to NRS 442.008 or a
27 provision of federal law; or

28 ~~[6.]~~ 5. Pursuant to an order of a court of competent
29 jurisdiction.

30 **Sec. 125.** NRS 629.171 is hereby amended to read as follows:

31 629.171 It is unlawful to disclose or to compel a person to
32 disclose the identity of a person who was the subject of a genetic
33 test or to disclose genetic information of that person in a manner
34 that allows identification of the person, without first obtaining the
35 informed consent of that person or his or her legal guardian pursuant
36 to NRS 629.181, unless the information is disclosed:

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

40 2. ~~[To determine the parentage or identity of a person pursuant~~
41 ~~to NRS 56.020;~~

42 ~~—3.]~~ To determine the ~~[paternity.]~~ *parentage* of a person pursuant
43 to NRS ~~[126.121 or]~~ 425.384 ~~;~~

44 ~~—4.]~~ *or sections 52 to 68, inclusive, of this act;*

45 3. Pursuant to an order of a court of competent jurisdiction;



1 ~~[5.]~~ 4. By a physician and is the genetic information of a
2 deceased person that will assist in the medical diagnosis of persons
3 related to the deceased person by blood;

4 ~~[6.]~~ 5. To a federal, state, county or city law enforcement
5 agency to establish the identity of a person or dead human body;

6 ~~[7.]~~ 6. To determine the presence of certain preventable or
7 inheritable disorders in an infant pursuant to NRS 442.008 or a
8 provision of federal law;

9 ~~[8.]~~ 7. To carry out the provisions of NRS 442.300 to 442.330,
10 inclusive; or

11 ~~[9.]~~ 8. By an agency of criminal justice pursuant to
12 NRS 179A.075.

13 **Sec. 126.** NRS 652.210 is hereby amended to read as follows:

14 652.210 1. Except as otherwise provided in subsection 2 and
15 NRS ~~[126.121 and]~~ 652.186 ~~[.]~~ *and sections 52 to 68, inclusive, of*
16 *this act*, no person other than a licensed physician, a licensed
17 optometrist, a licensed practical nurse, a registered nurse, a
18 perfusionist, a physician assistant licensed pursuant to chapter 630
19 or 633 of NRS, a certified advanced emergency medical technician,
20 a certified paramedic, a practitioner of respiratory care licensed
21 pursuant to chapter 630 of NRS, a licensed dentist or a registered
22 pharmacist may manipulate a person for the collection of specimens.
23 The persons described in this subsection may perform any
24 laboratory test which is classified as a waived test pursuant to
25 Subpart A of Part 493 of Title 42 of the Code of Federal Regulations
26 without obtaining certification as an assistant in a medical
27 laboratory pursuant to NRS 652.127.

28 2. The technical personnel of a laboratory may collect blood,
29 remove stomach contents, perform certain diagnostic skin tests or
30 field blood tests or collect material for smears and cultures.

31 **Sec. 127.** NRS 689A.0424 is hereby amended to read as
32 follows:

33 689A.0424 1. An insurer that offers or issues a policy of
34 health insurance that includes coverage for maternity care shall not
35 deny, limit or seek reimbursement for maternity care because the
36 insured is acting as a gestational carrier.

37 2. If an insured acts as a gestational carrier, the child shall be
38 deemed to be a child of the intended parent, as defined in ~~[NRS~~
39 ~~126.590.]~~ *section 16 of this act*, for purposes related to the policy of
40 health insurance.

41 3. As used in this section, "gestational carrier" has the meaning
42 ascribed to it in NRS 126.580.



1 **Sec. 128.** NRS 689B.03766 is hereby amended to read as
2 follows:

3 689B.03766 1. An insurer that offers or issues a policy of
4 group health insurance that includes coverage for maternity care
5 shall not deny, limit or seek reimbursement for maternity care
6 because the insured is acting as a gestational carrier.

7 2. If an insured acts as a gestational carrier, the child shall be
8 deemed to be a child of the intended parent, as defined in ~~NRS~~
9 ~~126.590,~~ *section 16 of this act*, for purposes related to the policy of
10 group health insurance.

11 3. As used in this section, “gestational carrier” has the meaning
12 ascribed to it in NRS 126.580.

13 **Sec. 129.** NRS 689C.1945 is hereby amended to read as
14 follows:

15 689C.1945 1. A carrier that offers or issues a health benefit
16 plan that includes coverage for maternity care shall not deny, limit
17 or seek reimbursement for maternity care because the insured is
18 acting as a gestational carrier.

19 2. If an insured acts as a gestational carrier, the child shall be
20 deemed to be a child of the intended parent, as defined in ~~NRS~~
21 ~~126.590,~~ *section 16 of this act*, for purposes related to the health
22 benefit plan.

23 3. As used in this section, “gestational carrier” has the meaning
24 ascribed to it in NRS 126.580.

25 **Sec. 130.** NRS 695A.1857 is hereby amended to read as
26 follows:

27 695A.1857 1. A society that offers or issues a benefit
28 contract that includes coverage for maternity care shall not deny,
29 limit or seek reimbursement for maternity care because the insured
30 is acting as a gestational carrier.

31 2. If an insured acts as a gestational carrier, the child shall be
32 deemed to be a child of the intended parent, as defined in ~~NRS~~
33 ~~126.590,~~ *section 16 of this act*, for purposes related to the benefit
34 contract.

35 3. As used in this section, “gestational carrier” has the meaning
36 ascribed to it in NRS 126.580.

37 **Sec. 131.** NRS 695B.1948 is hereby amended to read as
38 follows:

39 695B.1948 1. An insurer that offers or issues a contract for
40 hospital or medical services that includes coverage for maternity
41 care shall not deny, limit or seek reimbursement for maternity care
42 because the insured is acting as a gestational carrier.

43 2. If an insured acts as a gestational carrier, the child shall be
44 deemed to be a child of the intended parent, as defined in



1 ~~[NRS 126.590.]~~ *section 16 of this act*, for purposes related to the
2 contract for hospital or medical services.

3 3. As used in this section, “gestational carrier” has the meaning
4 ascribed to it in NRS 126.580.

5 **Sec. 132.** NRS 695C.1712 is hereby amended to read as
6 follows:

7 695C.1712 1. A health maintenance organization that offers
8 or issues a health care plan that includes coverage for maternity care
9 shall not deny, limit or seek reimbursement for maternity care
10 because the enrollee is acting as a gestational carrier.

11 2. If an enrollee acts as a gestational carrier, the child shall be
12 deemed to be a child of the intended parent, as defined in ~~[NRS~~
13 ~~126.590.]~~ *section 16 of this act*, for purposes related to the health
14 care plan.

15 3. As used in this section, “gestational carrier” has the meaning
16 ascribed to it in NRS 126.580.

17 **Sec. 133.** NRS 695G.1716 is hereby amended to read as
18 follows:

19 695G.1716 1. A managed care organization that offers or
20 issues a health care plan that includes coverage for maternity care
21 shall not deny, limit or seek reimbursement for maternity care
22 because the insured is acting as a gestational carrier.

23 2. If an insured acts as a gestational carrier, the child shall be
24 deemed to be a child of the intended parent, as defined in ~~[NRS~~
25 ~~126.590.]~~ *section 16 of this act*, for purposes related to the health
26 care plan.

27 3. As used in this section, “gestational carrier” has the meaning
28 ascribed to it in NRS 126.580.

29 **Sec. 134.** The amendatory provisions of this act apply to a
30 pending proceeding to adjudicate parentage commenced before
31 October 1, 2023, for an issue on which a judgment has not been
32 entered.

33 **Sec. 135.** The Legislative Counsel shall:

34 1. In preparing the Nevada Revised Statutes, use the authority
35 set forth in subsection 10 of NRS 220.120 to appropriately replace
36 references to the term “paternity” with the term “parentage,”
37 references to the term “father” with the term “parent” and references
38 to the term “mother” with the term “parent,” “person who gave
39 birth,” “person who will give birth,” “person giving birth” or
40 another similar term, as appropriate given the context, in the manner
41 provided in this act; and

42 2. In preparing supplements to the Nevada Administrative
43 Code, appropriately replace references to the term “paternity” with
44 the term “parentage,” references to the term “father” with the term
45 “parent” and references to the term “mother” with the term “parent,”



1 “person who gave birth,” “person who will give birth,” “person
2 giving birth” or another similar term, as appropriate given the
3 context, in the manner provided in this act.

4 **Sec. 136.** NRS 56.020, 126.021, 126.041, 126.051, 126.053,
5 126.071, 126.081, 126.091, 126.101, 126.105, 126.111, 126.121,
6 126.131, 126.141, 126.143, 126.171, 126.223, 126.231, 126.510,
7 126.540, 126.550, 126.560, 126.590, 126.600, 126.610, 126.620,
8 126.630 and 440.283 are hereby repealed.

LEADLINES OF REPEALED SECTIONS

- 56.020 Determination of parentage or identity.**
- 126.021 Definitions.**
- 126.041 Establishment of relationship.**
- 126.051 Presumptions of paternity.**
- 126.053 Voluntary acknowledgment of paternity or parentage.**
- 126.071 Who may bring action; when action may be brought.**
- 126.081 Period of limitations.**
- 126.091 Jurisdiction; joinder; 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.**
- 126.171 Costs.**
- 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.**
- 126.510 “Assisted reproduction” defined.**
- 126.540 “Donor” defined.**
- 126.550 “Embryo” defined.**
- 126.560 “Gamete” defined.**
- 126.590 “Intended parent” defined.**
- 126.600 “In vitro fertilization” defined.**
- 126.610 “Parent” defined.**



126.620 “Record” defined.

126.630 “Sign” defined.

440.283 Voluntary acknowledgment of paternity: Board to develop and distribute declarations to be signed; certain entities to provide services and notice concerning effect of declaration.

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