



MISSOURI SENATE
JEFFERSON CITY

Jeff Smith
4th Senate District

CAPITOL BUILDING, ROOM 329
JEFFERSON CITY, MO 65101

Contact: Stacy Morse
(573) 673-6654

For Immediate Release:
July 7, 2009

Governor Signs Paternity Bill into Law

JEFFERSON CITY — Governor Nixon signed a bill into law today that will alleviate financial worries for men who have been paying a debt that was not their own. The legislation was sponsored by Senator Jeff Smith, D-St. Louis, to provide DNA testing in paternity disputes. Senate Bill 141 requires that a man presumed to be the father of a child must be notified of any civil proceedings used to determine paternity, and informs him of his right to contest the assumption that he is the father and to request a genetic test to determine his paternity.

“If DNA tests prove a man is not the father of a child, he should not have to continue making child support payments,” Sen. Smith said. “There have been many cases where genetic testing proves a man is not the father of a child, but is ordered to continue making child support payments anyway. Now that this bill is, if genetic testing proves you’re not the father, you no longer bear financial responsibility for the child.”

In 2008, the state Family Support Division reported 33,810 children were born out of wedlock in Missouri, accounting for approximately 40% of all births in the state. The Division has a total of nearly 360,000 cases, seven percent of which required action to determine paternity.

Now law, the court will be required to grant relief and set aside the previous judgment of paternity and child support if a genetic test disproves paternity. The court also must eliminate all remaining child support payments, wipe out any criminal non-support charges, and order the Department of Health and Senior Services to modify the child’s birth certificate. The bill does not allow the man to be reimbursed for any child support payments made under a previous judgment.

“Other states have passed laws freeing men from financial obligations if they find they were deceived into parenthood,” said Smith. “If a non-biological father wants to continue supporting the child and wants to maintain the relationship, that’s wonderful, but he should not be forced to support someone else’s child.”

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