ASSEMBLY AMENDMENT 2,

TO 2005 ASSEMBLY BILL 521

September 8, 2005 – Offered by COMMITTEE ON CHILDREN AND FAMILIES.

1   At the locations indicated, amend the bill as follows:

2   **1.** Page 31, line 1: delete lines 1 and 2 and substitute:

3   "SECTION **38d.** 48.423 of the statutes is renumbered 48.423 (1) and amended

4   to read:

5   48.423 **(1)** RIGHTS TO PATERNITY DETERMINATION. If a ~~man who alleges that he~~".

6   **2.** Page 31, line 11: after "person" insert "meets the conditions specified in sub.

7   (2) or".

8   **3.** Page 31, line 12: after that line insert:

9   "SECTION **38g.** 48.423 (2) of the statutes is created to read:

10   48.423 **(2)** RIGHTS OF OUT–OF–STATE FATHERS. A person who may be the father

11   of a nonmarital child who is not adopted or whose parents do not subsequently

12   intermarry under s. 767.60 and whose paternity has not been established may

13   contest the petition, present evidence relevant to the issue of disposition, and make

1   alternative dispositional recommendations if the person appears at the hearing,

2   establishes paternity under sub. (1), and proves all of the following by a

3   preponderance of the evidence:

4   (a) That the person resides and has resided in another state where the mother

5   of the child resided or was located at the time of or after the conception of the child.

6   (b) That the mother left that state without notifying or informing that person

7   that she could be located in this state.

8   (c) That the person attempted to locate the mother through every reasonable

9   means, but did not know or have reason to know that the mother was residing or

10   located in this state.

11   (d) That the person has complied with the requirements of the state where the

12   mother previously resided or was located to protect and preserve his paternal

13   interests in matters affecting the child.".

14   **4.** Page 48, line 13: delete "48.423".

15   **5.** Page 48, line 14: after "(2m)" insert ", 48.423,".

16   **6.** Page 48, line 15: after "(2m) (b)" insert ", 48.423 (2),".

17   **7.** Page 50, line 17: delete "48.423".

18   **8.** Page 50, line 19: after "(2m)," insert "48.423,".

19   **9.** Page 50, line 21: after "(2m) (b)," insert "48.423 (2),".

20   **(END)**