

1 **COMPACT FOR INTERSTATE SHARING OF PUTATIVE**
2 **FATHER REGISTRY INFORMATION**

3 2014 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Luz Robles**

6 House Sponsor: Ryan D. Wilcox

7
8 **LONG TITLE**

9 **General Description:**

10 This bill enacts the Compact for Interstate Sharing of Putative Father Registry
11 Information.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ describes the purpose of the Compact for Interstate Sharing of Putative Father
15 Registry Information;
- 16 ▶ includes definitions;
- 17 ▶ describes the process for entering, withdrawing from, and amending the compact;
- 18 ▶ describes the responsibilities and privileges of states participating in the compact;
- 19 ▶ addresses the privacy, retention, and use of putative father registry information
20 shared under the compact; and
- 21 ▶ includes a severability clause.

22 **Money Appropriated in this Bill:**

23 None

24 **Other Special Clauses:**

25 This bill takes effect on May 12, 2015.

26 **Utah Code Sections Affected:**

27 ENACTS:



28 78B-6-121.5, Utah Code Annotated 1953



30 *Be it enacted by the Legislature of the state of Utah:*

31 Section 1. Section **78B-6-121.5** is enacted to read:

32 **78B-6-121.5. Compact for Interstate Sharing of Putative Father Registry**
33 **Information -- Severability clause.**

34 COMPACT FOR INTERSTATE SHARING
35 OF PUTATIVE FATHER REGISTRY INFORMATION

36 ARTICLE I
37 PURPOSE

38 This compact enables the sharing of putative father registry information collected by a
39 state that is a party to the compact with all other states that are parties to the compact.

40 ARTICLE II
41 DEFINITIONS

42 (1) "Putative father" means Ŝ → [an unmarried] a ←Ŝ man who may be the biological
42a father of a
43 child by virtue of having had a sexual relationship with a woman Ŝ → to whom he is not
43a married ←Ŝ .

44 (2) "Putative father registry" mean a registry of putative fathers maintained and used by
45 a state as part of its legal process for protecting a putative father's rights.

46 (3) "State" includes a state, district, or territory of the United States.

47 ARTICLE III
48 ENTRY, WITHDRAWAL, AND AMENDMENTS

49 (1) A state is a party to this compact upon enactment of this compact by the state into
50 state law.

51 (2) Upon providing at least 60 days' notice of withdrawal from this compact to each
52 party to the compact and repealing the compact from state law, a state is no longer party to this
53 compact.

54 (3) This compact is amended upon enactment of the amendment into state law by each
55 party to the compact.

56 ARTICLE IV
57 INTERSTATE SHARING OF PUTATIVE FATHER REGISTRY INFORMATION

58 (1) A party to this compact shall communicate information in its putative father

59 registry about a specific putative father to any other party to this compact in a timely manner
60 upon request by the other party.

61 (2) A party to this compact is not required to have a putative father registry in order to
62 request putative father registry information from another party to the compact.

63 (3) Putative father registry information requested by a party to this compact from
64 another party to this compact is subject to the laws of the requesting party governing the
65 privacy, retention, and authorized uses of putative father information or, if the requesting party
66 does not have a putative father registry, the laws of the party supplying the information
67 governing the privacy, retention, and authorized uses of putative father information.

68 (4) Notwithstanding the preceding paragraph, the request for or receipt of putative
69 father registry information by a party to this compact from another party to this compact does
70 not affect the application of the requesting party's laws, including laws regarding adoption or
71 the protection of a putative father's rights, except as explicitly provided by the requesting
72 party's laws.

73 (5) Failure by a party to this compact to provide accurate putative father registry
74 information in a timely manner to another party to this compact upon request does not affect
75 application of the requesting party's laws, including laws governing adoption and the protection
76 of a putative father's rights, except as explicitly provided by the requesting party's laws.

77 (6) Each party to this compact shall work with every other party to this compact to
78 facilitate the timely communication of putative father registry information between compact
79 parties upon request.

80 ARTICLE V

81 SEVERABILITY

82 The provisions of this compact are severable. If any provision of this compact or the
83 application of any provision of this compact to any person or circumstance is held invalid by a
84 final decision of a court of competent jurisdiction, the remainder of this compact shall be given
85 effect within that state without the invalid provision or application. If a provision of this
86 compact is severed in one or more states as a result of one or more court decisions, the
87 provision shall remain in force in all other states that are parties to this compact.

88 **Section 2. Effective date.**

89 This bill takes effect on May 12, 2015.

Legislative Review Note
as of 2-10-14 8:36 AM

Office of Legislative Research and General Counsel