

# STATE OF NEW YORK

8382

2025-2026 Regular Sessions

## IN ASSEMBLY

May 13, 2025

Introduced by M. of A. PAULIN -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the family court act, the civil practice law and rules, the domestic relations law, the executive law, the judiciary law, the social services law, the general obligations law, the vehicle and traffic law, the alcoholic beverage control law, and the education law, in relation to substituting parentage for paternity and filiation; and to repeal certain provisions of the family court act relating thereto

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph (iii) of subdivision (a) of section 115 of the  
2 family court act, as amended by chapter 222 of the laws of 1994, is  
3 amended to read as follows:  
4 (iii) proceedings to determine [~~paternity~~] parentage and for the  
5 support of children born [~~out-of-wedlock~~] out of wedlock, as set forth  
6 in [~~article~~] articles five and five-C of this act;  
7 § 2. Subdivision (b) of section 154 of the family court act, as added  
8 by chapter 214 of the laws of 1998, is amended to read as follows:  
9 (b) In a proceeding to establish [~~paternity~~] parentage or to estab-  
10 lish, modify or enforce support, the court may send process without the  
11 state in the same manner and with the same effect as process sent within  
12 the state in the exercise of personal jurisdiction over any person  
13 subject to the jurisdiction of the court under section three hundred one  
14 or three hundred two of the civil practice law and rules or under  
15 section 580-201 of article five-B of [~~the family court~~] this act,  
16 notwithstanding that such person is not a resident or domiciliary of the  
17 state.  
18 § 3. Paragraph (viii) of subdivision (a) of section 262 of the family  
19 court act, as added by chapter 456 of the laws of 1978, is amended to  
20 read as follows:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD11920-01-5

1 (viii) the respondent in any proceeding under [~~article~~] articles five  
2 and five-C of this act in relation to the establishment of [~~paternity~~]  
3 parentage.

4 § 4. Subdivision (a) of section 418 of the family court act, as  
5 amended by chapter 214 of the laws of 1998, is amended to read as  
6 follows:

7 (a) The court, on its own motion or motion of any party, when [~~pater-~~  
8 ~~nity~~] parentage is contested under this article, shall order the [~~moth-~~  
9 ~~er,~~] parties and the child [~~and the alleged father~~] to submit to one or  
10 more genetic marker or DNA marker tests of a type generally acknowledged  
11 as reliable by an accreditation body designated by the secretary of the  
12 federal department of health and human services and performed by a labo-  
13 ratory approved by such an accreditation body and by the commissioner of  
14 health or by a duly qualified physician to aid in the determination of  
15 whether the alleged [~~father~~] parent is or is not the [~~father~~] parent of  
16 the child. No such test shall be ordered, however, where the acknowledg-  
17 ment was signed by the intended parent of a child born through assisted  
18 reproduction pursuant to subparagraph (ii) of paragraph (b) of subdivi-  
19 sion one of section forty-one hundred thirty-five-b of the public health  
20 law, or upon a written finding by the court that it is not in the best  
21 interests of the child on the basis of res judicata, equitable estoppel  
22 or the presumption of legitimacy of a child born to a married [~~woman~~]  
23 couple. The record or report of the results of any such genetic marker  
24 or DNA test shall be received in evidence, pursuant to subdivision (e)  
25 of rule forty-five hundred eighteen of the civil practice law and rules  
26 where no timely objection in writing has been made thereto. Any order  
27 pursuant to this section shall state in plain language that the results  
28 of such test shall be admitted into evidence, pursuant to rule forty-  
29 five hundred eighteen of the civil practice law and rules absent timely  
30 objections thereto and that if such timely objections are not made, they  
31 shall be deemed waived and shall not be heard by the court. If the  
32 record or report of results of any such genetic marker or DNA test or  
33 tests indicate at least a ninety-five percent probability of [~~paternity~~]  
34 parentage, the admission of such record or report shall create a rebutt-  
35 able presumption of [~~paternity~~] parentage, and, if unrebutted, shall  
36 establish the [~~paternity~~] parentage of and liability for the support of  
37 a child pursuant to this article and article five of this act.

38 § 5. Subdivisions (a), (b) and (c) of section 439 of the family court  
39 act, subdivision (a) as amended by section 21 of part L of chapter 56 of  
40 the laws of 2020, subdivision (b) as amended by chapter 568 of the laws  
41 of 2024 and subdivision (c) as amended by chapter 576 of the laws of  
42 2005, are amended to read as follows:

43 (a) The chief administrator of the courts shall provide, in accordance  
44 with subdivision (f) of this section, for the appointment of a suffi-  
45 cient number of support magistrates to hear and determine support  
46 proceedings. Except as hereinafter provided, support magistrates shall  
47 be empowered to hear, determine and grant any relief within the powers  
48 of the court in any proceeding under this article, articles five,  
49 five-A, five-B and five-C and sections two hundred thirty-four and two  
50 hundred thirty-five of this act, and objections raised pursuant to  
51 section five thousand two hundred forty-one of the civil practice law  
52 and rules. Support magistrates shall not be empowered to hear, determine  
53 and grant any relief with respect to issues specified in section four  
54 hundred fifty-five of this article, issues of contested parentage  
55 involving claims of equitable estoppel, custody, visitation including  
56 visitation as a defense, determinations of parentage made pursuant to

1 section 581-407 of this act, and orders of protection or exclusive  
2 possession of the home, which shall be referred to a judge as provided  
3 in subdivision (b) or (c) of this section. Where an order of [~~filiation~~]  
4 ~~parentage~~ is issued by a judge in a [~~paternity~~] ~~parentage~~ proceeding and  
5 child support is in issue, the judge, or support magistrate upon refer-  
6 ral from the judge, shall be authorized to immediately make a temporary  
7 or final order of support, as applicable. A support magistrate shall  
8 have the authority to hear and decide motions and issue summonses and  
9 subpoenas to produce persons pursuant to section one hundred fifty-three  
10 of this act, hear and decide proceedings and issue any order authorized  
11 by subdivision (g) of section five thousand two hundred forty-one of the  
12 civil practice law and rules, issue subpoenas to produce prisoners  
13 pursuant to section two thousand three hundred two of the civil practice  
14 law and rules and make a determination that any person before the  
15 support magistrate is in violation of an order of the court as author-  
16 ized by section one hundred fifty-six of this act subject to confirma-  
17 tion by a judge of the court who shall impose any punishment for such  
18 violation as provided by law. A determination by a support magistrate  
19 that a person is in willful violation of an order under subdivision  
20 three of section four hundred fifty-four of this article and that recom-  
21 mends commitment shall be transmitted to the parties, accompanied by  
22 findings of fact, but the determination shall have no force and effect  
23 until confirmed by a judge of the court.

24 (b) In any proceeding to establish [~~paternity~~] ~~parentage~~ which is  
25 heard by a support magistrate, the support magistrate shall advise the  
26 [~~mother and putative father~~] ~~parties~~ of the right to be represented by  
27 counsel and [~~shall advise the mother and putative father~~] of their right  
28 to blood grouping or other genetic marker or DNA tests in accordance  
29 with section five hundred thirty-two of this act. The support magistrate  
30 shall order that such tests be conducted in accordance with section five  
31 hundred thirty-two of this act. The support magistrate shall be  
32 empowered to hear and determine all matters related to the proceeding  
33 including the making of an order of [~~filiation~~] ~~parentage~~ pursuant to  
34 section five hundred forty-two of this act and an application to change  
35 the name of the child pursuant to section sixty of the civil rights law,  
36 provided, however, that where the respondent denies [~~paternity~~] ~~parent-~~  
37 ~~age~~ and [~~paternity~~] ~~parentage~~ is contested on the grounds of equitable  
38 estoppel, the support magistrate shall not be empowered to determine the  
39 issue of [~~paternity~~] ~~parentage~~, but shall transfer the proceeding to a  
40 judge of the court for a determination of the issue of [~~paternity~~]  
41 ~~parentage~~. Where an order of [~~filiation~~] ~~parentage~~ is issued by a judge  
42 in a [~~paternity~~] ~~parentage~~ proceeding and child support is in issue, the  
43 judge, or support magistrate upon referral from the judge, shall be  
44 authorized to immediately make a temporary or final order of support, as  
45 applicable. Whenever an order of [~~filiation~~] ~~parentage~~ is made by a  
46 support magistrate, the support magistrate also shall make a final or  
47 temporary order of support.

48 (c) The support magistrate, in any proceeding in which issues speci-  
49 fied in section four hundred fifty-five of this [~~act~~] ~~article~~, or issues  
50 of custody, visitation, including visitation as a defense, orders of  
51 protection or exclusive possession of the home are present or in which  
52 [~~paternity~~] ~~parentage~~ is contested on the grounds of equitable estoppel,  
53 shall make a temporary order of support and refer the proceeding to a  
54 judge. Upon determination of such issue by a judge, the judge may make a  
55 final determination of the issue of support, or immediately refer the  
56 proceeding to a support magistrate for further proceedings regarding

1 child support or other matters within the authority of the support  
2 magistrate.

3 § 5-a. Subdivision (a) of section 439 of the family court act, as  
4 amended by section 2 of chapter 468 of the laws of 2012, is amended to  
5 read as follows:

6 (a) The chief administrator of the courts shall provide, in accordance  
7 with subdivision (f) of this section, for the appointment of a suffi-  
8 cient number of support magistrates to hear and determine support  
9 proceedings. Except as hereinafter provided, support magistrates shall  
10 be empowered to hear, determine and grant any relief within the powers  
11 of the court in any proceeding under this article, articles five,  
12 five-A, and five-B and sections two hundred thirty-four and two hundred  
13 thirty-five of this act, and objections raised pursuant to section five  
14 thousand two hundred forty-one of the civil practice law and rules.  
15 Support magistrates shall not be empowered to hear, determine and grant  
16 any relief with respect to issues specified in section four hundred  
17 fifty-five of this article, issues of contested [~~paternity~~] parentage  
18 involving claims of equitable estoppel, custody, visitation including  
19 visitation as a defense, and orders of protection or exclusive  
20 possession of the home, which shall be referred to a judge as provided  
21 in subdivision (b) or (c) of this section. Where an order of [~~filiation~~]  
22 parentage is issued by a judge in a [~~paternity~~] parentage proceeding and  
23 child support is in issue, the judge, or support magistrate upon refer-  
24 ral from the judge, shall be authorized to immediately make a temporary  
25 or final order of support, as applicable. A support magistrate shall  
26 have the authority to hear and decide motions and issue summonses and  
27 subpoenas to produce persons pursuant to section one hundred fifty-three  
28 of this act, hear and decide proceedings and issue any order authorized  
29 by subdivision (g) of section five thousand two hundred forty-one of the  
30 civil practice law and rules, issue subpoenas to produce prisoners  
31 pursuant to section two thousand three hundred two of the civil practice  
32 law and rules and make a determination that any person before the  
33 support magistrate is in violation of an order of the court as author-  
34 ized by section one hundred fifty-six of this act subject to confirma-  
35 tion by a judge of the court who shall impose any punishment for such  
36 violation as provided by law. A determination by a support magistrate  
37 that a person is in willful violation of an order under subdivision  
38 three of section four hundred fifty-four of this article and that recom-  
39 mends commitment shall be transmitted to the parties, accompanied by  
40 findings of fact, but the determination shall have no force and effect  
41 until confirmed by a judge of the court.

42 § 6. Subdivision (b) of section 458-a of the family court act, as  
43 added by chapter 398 of the laws of 1997, is amended to read as follows:

44 (b) If the respondent, after receiving appropriate notice, fails to  
45 comply with a summons, subpoena or warrant relating to a [~~paternity~~]  
46 parentage proceeding under article five of this act or child support  
47 proceeding, the court may order the department of motor vehicles to  
48 suspend the respondent's driving privileges. The court may subsequently  
49 order the department of motor vehicles to terminate the suspension of  
50 the respondent's driving privileges; however, the court shall order the  
51 termination of such suspension when the court is satisfied that the  
52 respondent has fully complied with the requirements of all summonses,  
53 subpoenas and warrants relating to a [~~paternity~~] parentage proceeding  
54 under article five of this act or child support proceeding. Nothing in  
55 this subdivision shall authorize the court to terminate the respondent's  
56 suspension of driving privileges except as provided in this subdivision.

1 § 7. Subdivisions (b) and (c) of section 458-b of the family court  
2 act, subdivision (b) as added and subdivision (c) as amended by chapter  
3 398 of the laws of 1997, are amended to read as follows:

4 (b) If the respondent after receiving appropriate notice, fails to  
5 comply with a summons, subpoena or warrant relating to a [~~paternity~~]  
6 parentage proceeding under article five of this act or child support  
7 proceeding, and the court has determined that the respondent is  
8 licensed, permitted or registered by or with a board, department,  
9 authority or office of this state or one of its political subdivisions  
10 or instrumentalities to conduct a trade, business, profession or occupa-  
11 tion, the court may order such board, department, authority or office to  
12 commence proceedings as required by law regarding the suspension of such  
13 license, permit, registration or authority to practice and to inform the  
14 court of the actions it has taken pursuant to such proceeding. The court  
15 may subsequently order such board, department, authority or office to  
16 terminate the suspension of the respondent's license, permit, registra-  
17 tion or authority to practice; however, the court shall order the termi-  
18 nation of such suspension when the court is satisfied that the respond-  
19 ent has fully complied with the requirements of all summonses, subpoenas  
20 and warrants relating to a [~~paternity~~] parentage proceeding under arti-  
21 cle five of this act or child support proceeding.

22 (c) If the court determines that the suspension of the license, permit  
23 or registration of the respondent would create an extreme hardship to  
24 either the licensee, permittee or registrant or to persons [~~whom he or~~  
25 ~~she serves~~] they serve, the court may, in lieu of suspension, suspend  
26 the order described in subdivision (a) of this section to the licensing  
27 entity for a period not to exceed one year. If on or before the expira-  
28 tion of this period the court has not received competent proof presented  
29 at hearing that the respondent is in full compliance with [~~his or her~~]  
30 the respondent's support obligation and has fully complied with all  
31 summons, subpoenas and warrants relating to a [~~paternity~~] parentage  
32 proceeding under article five of this act or child support proceeding,  
33 the court shall cause the suspension of the order to be removed and  
34 shall further cause such order to be served upon the licensing entity.

35 § 8. Subdivision (b) of section 458-c of the family court act, as  
36 added by chapter 398 of the laws of 1997, is amended to read as follows:

37 (b) If the respondent, after receiving appropriate notice, fails to  
38 comply with a summons, subpoena, or warrant relating to a [~~paternity~~]  
39 parentage proceeding under article five of this act or child support  
40 proceeding, the court may order any agency responsible for the issuance  
41 of a recreational license to suspend or to refuse to reissue a license  
42 to the respondent or to deny application for such license by the  
43 respondent. The court may subsequently order such agency to terminate  
44 the adverse action regarding the respondent's license; however, the  
45 court shall order the termination of such suspension or other adverse  
46 action when the court is satisfied that the respondent has fully  
47 complied with the requirements of all summons, subpoenas, and warrants  
48 relating to a [~~paternity~~] parentage proceeding under article five of  
49 this act or child support proceeding.

50 § 9. The article heading of article 5 of the family court act is  
51 amended to read as follows:

52 [~~PATERNITY~~] PARENTAGE PROCEEDINGS

53 § 10. Section 511 of the family court act, as amended by chapter 533  
54 of the laws of 1999, is amended to read as follows:

55 § 511. Jurisdiction. Except as otherwise provided, the family court  
56 has exclusive original jurisdiction in proceedings to establish [~~pater-~~

1 ~~nity~~ parentage and, in any such proceedings in which it makes a finding  
2 of [~~paternity~~] parentage, to order support and to make orders of custody  
3 or of visitation, as set forth in this article. On its own motion, the  
4 court may at any time in the proceedings also direct the filing of a  
5 neglect petition in accord with the provisions of article ten of this  
6 act. In accordance with the provisions of section one hundred eleven-b  
7 of the domestic relations law, the surrogate's court has original juris-  
8 diction concurrent with the family court to determine the issues relat-  
9 ing to the establishment of [~~paternity~~] parentage.

10 § 11. Section 512 of the family court act, subdivision (d) as added by  
11 chapter 665 of the laws of 1976, is amended to read as follows:

12 § 512. Definitions. When used in this article,

13 (a) The phrase "child born out of wedlock" refers to a child who is  
14 begotten and born out of lawful matrimony.

15 (b) The word "child" refers to a child [~~born out of wedlock~~] live-born  
16 individual of any age whose parentage may be determined under this act  
17 or other law.

18 (c) [~~The word "mother" refers to the mother of a child born out of~~  
19 ~~wedlock.~~

20 (d) [~~The word "father" refers to the father of a child born out of wed-~~  
21 ~~lock~~] "Parentage" means a determination that a person is the legal  
22 parent of the child.

23 (d) "Parent" means an individual who has established a parent-child  
24 relationship created or recognized under this act or other law.

25 (e) "Alleged parent" means an individual who has not established a  
26 parentage but either seeks to establish parentage of, or is alleged by  
27 another, to be the parent of a child who is the subject of a proceeding  
28 under this article.

29 (f) "Record" means information inscribed in a tangible medium or  
30 stored in an electronic or other medium that is retrievable in perceiva-  
31 ble form.

32 (g) "Spouse" means an individual married to another, or who has a  
33 legal relationship entered into under the laws of the United States or  
34 of any state, local or foreign jurisdiction, which is substantially  
35 equivalent to a marriage, including a civil union or domestic partner-  
36 ship.

37 (h) "State" means a state of the United States, the District of Colum-  
38 bia, Puerto Rico, the United States Virgin Islands, or any territory or  
39 insular possession subject to the jurisdiction of the United States.

40 § 12. Section 514 of the family court act, as amended by chapter 215  
41 of the laws of 2009, is amended to read as follows:

42 § 514. Liability [~~of father to mother~~] for expenses of pregnancy,  
43 confinement and recovery. The [~~father~~] court may determine which parent  
44 is liable for the reasonable expenses of the [~~mother's~~] gestating  
45 parent's confinement and recovery and such reasonable expenses in  
46 connection with [~~her~~] the pregnancy as determined by the court;  
47 provided, however, where the [~~mother's~~] gestating parent's confinement,  
48 recovery and expenses in connection with [~~her~~] the pregnancy were paid  
49 under the medical assistance program on the [~~mother's~~] gestating  
50 parent's behalf, the [~~father~~] non-gestating parent may be liable to the  
51 social services district furnishing such medical assistance and to the  
52 state department of health for medical assistance so expended. Such  
53 expenses, including such expenses paid by the medical assistance program  
54 on the [~~mother's~~] gestating parent's behalf, shall be deemed cash  
55 medical support and the court shall determine the obligation of the  
56 parties to contribute to the cost thereof pursuant to subparagraph five

1 of paragraph (c) of subdivision one of section four hundred thirteen of  
2 this act.

3 § 13. Section 517 of the family court act, as amended by chapter 809  
4 of the laws of 1985, is amended to read as follows:

5 § 517. Time for instituting proceedings. Proceedings to establish the  
6 [~~paternity~~] parentage of a child may be instituted during the pregnancy  
7 of the [~~mother~~] gestating parent or after the birth of the child, but  
8 shall not be brought after the child reaches the age of twenty-one  
9 years, unless [~~paternity~~] parentage has been acknowledged by the  
10 [~~father~~] non-gestating parent in writing or by furnishing support.

11 § 14. Section 518 of the family court act, as amended by chapter 310  
12 of the laws of 1983, is amended to read as follows:

13 § 518. Effect of death, absence, or mental illness of [~~mother~~] gestat-  
14 ing parent. If, at any time before or after a petition is filed, the  
15 [~~mother~~] gestating parent dies or becomes mentally ill or cannot be  
16 found within the state, neither the proceeding nor the right to commence  
17 the proceeding shall abate but may be commenced or continued by any of  
18 the persons authorized by this article to commence a [~~paternity~~] parent-  
19 age proceeding.

20 § 15. Section 519 of the family court act, as added by chapter 434 of  
21 the laws of 1987 and subdivision (c) as amended by chapter 533 of the  
22 laws of 1999, is amended to read as follows:

23 § 519. Effect of death, absence or mental illness of [~~putative father~~]  
24 alleged parent. If, at any time before or after a petition [~~if~~] is  
25 filed, the [~~putative father~~] alleged parent dies, or becomes mentally  
26 ill or cannot be found within the state, neither the proceeding nor the  
27 right to commence the proceeding shall necessarily abate but may be  
28 commenced or continued by any of the persons authorized by this article  
29 to commence a [~~paternity~~] parentage proceeding where:

30 (a) the [~~putative father~~] alleged parent was the petitioner in the  
31 [~~paternity~~] parentage proceeding; or,

32 (b) the [~~putative father~~] alleged parent acknowledged [~~paternity~~]  
33 parentage of the child in open court; or,

34 (c) a genetic marker or DNA test had been administered to the [~~puta-~~  
35 ative father] alleged parent prior to [~~his~~] the alleged parent's death;  
36 or,

37 (d) the [~~putative father~~] alleged parent has openly and notoriously  
38 acknowledged the child [~~as his own~~].

39 § 16. Section 521 of the family court act is amended to read as  
40 follows:

41 § 521. Venue. Proceedings to establish [~~paternity~~] parentage may be  
42 originated in the county where the [~~mother~~] gestating parent or child  
43 resides or is found or in the county where the [~~putative father~~] alleged  
44 parent resides or is found. The fact that the child was born outside of  
45 the state of New York does not bar a proceeding to establish [~~paternity~~]  
46 parentage in the county where the [~~putative father~~] alleged parent  
47 resides or is found or in the county where the [~~mother~~] gestating parent  
48 resides or the child is found.

49 § 17. Section 522 of the family court act, as amended by chapter 892  
50 of the laws of 1986, is amended to read as follows:

51 § 522. Persons who may originate proceedings. (a) Proceedings to  
52 establish the [~~paternity~~] parentage of [~~the~~] a child and to compel  
53 support under this article may be commenced by [~~the mother,~~]:

54 (1) the gestating parent or alleged non-gestating parent, whether a  
55 minor or not, [~~by a person alleging to be the father, whether a minor or~~  
56 not, by the] or

1 (2) a child or child's guardian or other person standing in a parental  
2 relation or being the next of kin of the child, or [~~by~~]

3 (3) an authorized representative of a support enforcement agency or  
4 other governmental agency authorized to maintain a parentage proceeding,  
5 a representative authorized by law to act for an individual who would  
6 otherwise be entitled to maintain a proceeding but who is deceased,  
7 incapacitated, or

8 (4) a minor, in order to legally establish the child-parent relation-  
9 ship, or

10 (5) any authorized representative of an incorporated society doing  
11 charitable or philanthropic work, or if the [~~mother~~] gestating parent or  
12 child is or is likely to become a public charge on a county, city or  
13 town, by a public welfare official of the county, city or town where the  
14 [~~mother~~] gestating parent resides or the child is found.

15 (b) An alleged parent may file a petition to establish parentage  
16 notwithstanding an acknowledgment of parentage signed by the gestating  
17 parent and another alleged parent.

18 (c) If a proceeding is originated by a [~~public-welfare-official~~]  
19 support enforcement agency, other governmental agency or authorized  
20 representative of an incorporated society doing charitable or philan-  
21 thropic work and thereafter withdrawn or dismissed without consideration  
22 on the merits, such withdrawal or dismissal shall be without prejudice  
23 to other persons.

24 § 18. Section 523 of the family court act, as amended by chapter 398  
25 of the laws of 1997, is amended to read as follows:

26 § 523. Petition to establish parentage. (a) Proceedings are commenced  
27 by the filing of a verified petition, alleging that the person named as  
28 respondent, or the petitioner if the petitioner is a person alleging to  
29 be the child's [~~father~~] parent of a child born out of wedlock, is the  
30 [~~father~~] parent of the child and petitioning the court to issue a  
31 summons or a warrant, requiring the respondent to show cause why the  
32 court should not enter a declaration of [~~paternity~~] parentage, an order  
33 of support, and such other and further relief as may be appropriate  
34 under the circumstances. Petitions involving assisted reproduction and  
35 surrogacy shall be filed in accordance with article 5-C of this act.

36 (b) The petition shall be in writing and verified by the petitioner.

37 (c) Any such petition for the establishment of [~~paternity~~] parentage  
38 or the establishment, modification and/or enforcement of a child support  
39 obligation for persons not in receipt of family assistance, which  
40 contains a request for child support enforcement services completed in a  
41 manner as specified in section one hundred eleven-g of the social  
42 services law, shall constitute an application for such services.

43 (d) In the event that the gestating parent signed an acknowledgment of  
44 parentage with a person other than the alleged parent, the signatory to  
45 the acknowledgment of parentage is a necessary party and must be named  
46 as a respondent.

47 § 19. Section 524 of the family court act, as amended by chapter 59 of  
48 the laws of 1993 and subdivision (b) as amended by chapter 398 of the  
49 laws of 1997, is amended to read as follows:

50 § 524. Issuance of summons. (a) On receiving a petition sufficient in  
51 law [~~commencing~~] to commence a [~~paternity~~] parentage proceeding, the  
52 court shall cause a summons to be issued, requiring the respondent to  
53 show cause why the [~~declaration of paternity,~~] order of [~~filiation~~]  
54 parentage, order of support and other and further relief [~~prayed for by~~]  
55 requested in the petition should not be made.

1 (b) The summons shall contain or have attached thereto a notice stat-  
2 ing: (i) that the respondent's failure to appear shall result in the  
3 default entry of an order of [~~filiation~~] parentage by the court upon  
4 proof of a respondent's actual notice of the commencement of the  
5 proceeding; and (ii) that a respondent's failure to appear may result  
6 in the suspension of [~~his or her~~] the respondent's driving privileges;  
7 state professional, occupational and business licenses; and sporting  
8 licenses and permits.

9 § 20. Subdivision (c) of section 525 of the family court act, as  
10 amended by chapter 59 of the laws of 1993, is amended to read as  
11 follows:

12 (c) In any case, whether or not service is attempted under subdivision  
13 (a) or (b) of this section, service of a summons and petition under this  
14 section may be effected by mail alone to the last known address of the  
15 person to be served. Service by mail alone shall be made at least eight  
16 days before the time stated in the summons for appearance. If service is  
17 by mail alone, the court will enter an order of [~~filiation~~] parentage by  
18 default if there is proof satisfactory to the court that the respondent  
19 had actual notice of the commencement of the proceeding, which may be  
20 established upon sufficient proof that the summons and petition were in  
21 fact mailed by certified mail and signed for at the respondent's correct  
22 street address or signed for at the post office. If service by certified  
23 mail at the respondent's correct street address cannot be accomplished,  
24 service pursuant to subdivision one, two, three or four of section three  
25 hundred eight of the civil practice law and rules shall be deemed good  
26 and sufficient service. Upon failure of the respondent to obey a summons  
27 served in accordance with the provisions of this section by means other  
28 than mail alone, the court will enter an order of [~~filiation~~] parentage  
29 by default. The respondent shall have the right to make a motion for  
30 relief from such default order within one year from the date such order  
31 was entered.

32 § 21. Section 531 of the family court act, as amended by chapter 665  
33 of the laws of 1976, is amended to read as follows:

34 § 531. Hearing. The trial shall be by the court without a jury. The  
35 [~~mother or the alleged father~~] gestating parent and the alleged parent  
36 shall be competent to testify but the respondent shall not be compelled  
37 to testify. If the [~~mother is~~] parties are married, they both [~~she and~~  
38 ~~her husband~~] may testify to nonaccess. If the respondent shall offer  
39 testimony of access by others at or about the time charged in the  
40 complaint, such testimony shall not be competent or admissible in  
41 evidence except when corroborated by other facts and circumstances tend-  
42 ing to prove such access. The court may exclude the general public from  
43 the room where the proceedings are heard and may admit only persons  
44 directly interested in the case, including officers of the court and  
45 witnesses.

46 § 22. Subdivisions (a) and (c) of section 532 of the family court act,  
47 subdivision (a) as amended by chapter 214 of the laws of 1998 and subdi-  
48 vision (c) as added by chapter 773 of the laws of 1982 as relettered by  
49 chapter 311 of the laws of 1983, are amended to read as follows:

50 (a) The court shall advise the parties of their right to one or more  
51 genetic marker tests or DNA tests and, on the court's own motion or the  
52 motion of any party, shall order the [~~mother~~] gestating parent, [~~her~~]  
53 the child and the alleged [~~father~~] parent, and, if appropriate, the  
54 non-gestating signatory to an acknowledgement of parentage to submit to  
55 one or more genetic marker or DNA tests of a type generally acknowledged  
56 as reliable by an accreditation body designated by the secretary of the

1 federal department of health and human services and performed by a labo-  
2 ratory approved by such an accreditation body and by the commissioner of  
3 health or by a duly qualified physician to aid in the determination of  
4 whether the alleged [~~father~~] parent is or is not the [~~father~~] parent  
5 of the child. No such test shall be ordered, however, upon a written find-  
6 ing by the court that it is not in the best interests of the child on  
7 the basis of res judicata, equitable estoppel, or the presumption of  
8 legitimacy of a child born to a married [~~woman~~] couple. The record or  
9 report of the results of any such genetic marker or DNA test ordered  
10 pursuant to this section or pursuant to section one hundred eleven-k of  
11 the social services law shall be received in evidence by the court  
12 pursuant to subdivision (e) of rule forty-five hundred eighteen of the  
13 civil practice law and rules where no timely objection in writing has  
14 been made thereto and that if such timely objections are not made, they  
15 shall be deemed waived and shall not be heard by the court. If the  
16 record or report of the results of any such genetic marker or DNA test  
17 or tests indicate at least a ninety-five percent probability of [~~pater-~~  
18 ~~nity~~] parentage, the admission of such record or report shall create a  
19 rebuttable presumption of [~~paternity~~] parentage, and shall establish, if  
20 unrebutted, the [~~paternity~~] parentage of and liability for the support  
21 of a child pursuant to this article and article four of this act.

22 (c) The cost of any test ordered pursuant to subdivision (a) of this  
23 section shall be, in the first instance, paid by the moving party. If  
24 the moving party is financially unable to pay such cost, the court may  
25 direct any qualified public health officer to conduct such test, if  
26 practicable; otherwise, the court may direct payment from the funds of  
27 the appropriate local social services district. In its order of disposi-  
28 tion, however, the court may direct that the cost of any such test be  
29 apportioned between the parties according to their respective abilities  
30 to pay or be assessed against the party who does not prevail on the  
31 issue of [~~paternity~~] parentage, unless such party is financially unable  
32 to pay.

33 § 23. Section 534 of the family court act, as amended by chapter 665  
34 of the laws of 1976, is amended to read as follows:

35 § 534. Adjournment on motion of court. On its own motion, the court  
36 may adjourn the hearing after it has made a finding of [~~paternity~~]  
37 parentage to enable it to make inquiry into the surroundings, conditions  
38 and capacities of the child, into the financial abilities and responsi-  
39 bilities of both parents or for other proper cause. If the court so  
40 adjourns the hearing, it may require the respondent to give an undertak-  
41 ing to appear.

42 § 24. Section 536 of the family court act, as amended by chapter 892  
43 of the laws of 1986, is amended to read as follows:

44 § 536. Counsel fees. Once an order of [~~filiation~~] parentage is made,  
45 the court in its discretion may allow counsel fees to the attorney for  
46 the prevailing party or parties, if [~~he or she is~~] they are unable to  
47 pay such counsel fees. Representation by an attorney pursuant to para-  
48 graph (b) of subdivision nine of section one hundred eleven-b of the  
49 social services law shall not preclude an award of counsel fees to an  
50 applicant which would otherwise be allowed under this section.

51 § 25. Section 541 of the family court act, as amended by chapter 665  
52 of the laws of 1976, is amended to read as follows:

53 § 541. Order dismissing petition. If the court finds [~~the male party~~  
54 ~~is not the father~~] that the alleged parent is not a parent of the child,  
55 it shall dismiss the petition. If a neglect petition was filed in the  
56 [~~paternity~~] parentage proceeding, the court retains jurisdiction over

1 the neglect petition whether or not it dismisses the [~~paternity~~] parent-  
2 age petition.

3 § 26. Section 542 of the family court act, as amended by chapter 354  
4 of the laws of 1993, and subdivisions (a), (b) and (c) as amended by  
5 chapter 398 of the laws of 1997, is amended to read as follows:

6 § 542. Order of [~~filiation~~] parentage. (a) If the court finds that  
7 the [~~male party~~] alleged parent is the [~~father~~] parent of the child, it  
8 shall make an order of [~~filiation, declaring paternity. Such order shall~~  
9 ~~contain the social security number of the declared father~~] parentage.

10 (b) If the respondent willfully fails to appear before the court  
11 subsequent to the administration and analysis of a genetic marker test  
12 or DNA test administered pursuant to sections four hundred eighteen and  
13 five hundred thirty-two of this act or section one hundred eleven-k of  
14 the social services law, and if such test does not exclude the respond-  
15 ent as being the [~~father~~] parent of the child or the court determines  
16 that there exists clear and convincing evidence of [~~paternity~~]  
17 parentage, the court shall enter an order of temporary support notwith-  
18 standing that [~~paternity~~] parentage of such child has [~~not~~] neither been  
19 established nor has an order of [~~filiation~~] parentage been entered  
20 against the respondent. The respondent shall be prospectively relieved  
21 from liability for support under such order of temporary support upon  
22 the respondent's appearance before the court.

23 (c) If the respondent willfully fails to comply with an order made by  
24 either the court pursuant to sections four hundred eighteen and five  
25 hundred thirty-two of this act or by a social services official or  
26 designee pursuant to section one hundred eleven-k of the social services  
27 law, and willfully fails to appear before the court when otherwise  
28 required, the court shall enter an order of temporary support notwith-  
29 standing that [~~paternity~~] parentage of the subject child has [~~not~~]  
30 neither been established nor has an order of [~~filiation~~] parentage been  
31 entered against the respondent. The respondent shall be prospectively  
32 relieved from liability for support under such order of temporary  
33 support upon the respondent's compliance with such order and subsequent  
34 appearance before the court.

35 (d) If the gestating parent signed an acknowledgment of parentage with  
36 another person whom the court has determined is not the parent of the  
37 child, the court shall make an order vacating the acknowledgment of  
38 parentage at the same time that it makes the order of parentage.

39 § 27. Section 543 of the family court act is amended to read as  
40 follows:

41 § 543. Transmission of order of [~~filiation~~] parentage. When an order  
42 of [~~filiation~~] parentage is made, the clerk of the court shall forthwith  
43 transmit to the state commissioner of health on a form prescribed by  
44 [~~him~~] the commissioner a written notification as to such order, together  
45 with such other facts as may assist in identifying the birth record of  
46 the person whose [~~paternity~~] parentage was in issue. When it appears to  
47 the clerk that the person whose [~~paternity~~] parentage was established  
48 was born in New York city, [~~he~~] the clerk shall forthwith transmit the  
49 written notification aforesaid to the commissioner of health of the city  
50 of New York instead of to the state commissioner of health.

51 § 28. Section 544 of the family court act is amended to read as  
52 follows:

53 § 544. Transmission of abrogation of [~~filiation~~] parentage order. If  
54 an order of [~~filiation~~] parentage is abrogated by a later judgment or  
55 order of the court that originally made the order or by another court on  
56 appeal, that fact shall be immediately communicated in writing by the

1 clerk of the court that originally made the order of [~~filiation~~] parent-  
2 age to the state commissioner of health on a form prescribed by [~~him~~]  
3 the commissioner. If notice of the order was given to the commissioner  
4 of health of New York city, notice of abrogation shall be transmitted to  
5 [~~him~~] the commissioner of health of the city of New York.

6 § 29. Section 545 of the family court act, as amended by chapter 849  
7 of the laws of 1986, subdivision 1 as amended by chapter 215 of the laws  
8 of 2009 and subdivision 2 as added by chapter 892 of the laws of 1986,  
9 is amended to read as follows:

10 § 545. Order of support by parents. 1. In a proceeding in which the  
11 court has made an order of [~~filiation~~] parentage, the court shall direct  
12 the parent or parents possessed of sufficient means or able to earn such  
13 means to pay weekly or at other fixed periods a fair and reasonable sum  
14 according to their respective means as the court may determine and  
15 apportion for such child's support and education, until the child is  
16 twenty-one. The order shall be effective as of the earlier of the date  
17 of the application for an order of [~~filiation~~] parentage, or, if the  
18 children for whom support is sought are in receipt of public assistance,  
19 the date for which their eligibility for public assistance was effec-  
20 tive. Any retroactive amount of child support shall be support  
21 arrears/past-due support and shall be paid in one sum or periodic sums  
22 as the court shall direct, taking into account any amount of temporary  
23 support which has been paid. In addition, such retroactive child support  
24 shall be enforceable in any manner provided by law including, but not  
25 limited to, an execution for support enforcement pursuant to subdivision  
26 (b) of section fifty-two hundred forty-one of the civil practice law and  
27 rules. The court shall direct such parent to make [~~his or her~~] the  
28 parent's residence known at all times should [~~he or she~~] they move from  
29 the address last known to the court by reporting such change to the  
30 support collection unit designated by the appropriate social services  
31 district. The order shall contain the social security numbers of the  
32 named parents as required by section four hundred forty of this act.  
33 The order may also direct each parent to pay an amount as the court may  
34 determine and apportion for the support of the child prior to the making  
35 of the order of [~~filiation~~] parentage, and may direct each parent to pay  
36 an amount as the court may determine and apportion for the funeral  
37 expenses if the child has died. The necessary expenses incurred by or  
38 for the mother in connection with her confinement and recovery and such  
39 expenses in connection with the pregnancy of the mother shall be deemed  
40 cash medical support, and the court shall determine the obligation of  
41 either or both parents to contribute to the cost thereof pursuant to  
42 subparagraph five of paragraph (c) of subdivision one of section four  
43 hundred thirteen of this act. In addition, the court shall make  
44 provisions for health insurance benefits in accordance with the require-  
45 ments of section four hundred sixteen of this act.

46 2. The court, in its discretion, taking into consideration the means  
47 of the [~~father~~] respondent and [~~his~~] such respondent's ability to pay  
48 and the needs of the child, may direct the payment of a reasonable sum  
49 or periodic sums to the [~~mother~~] other parent as reimbursement for the  
50 needs of the child accruing from the date of the birth of the child to  
51 the date of the application for an order of [~~filiation~~] parentage.

52 § 30. Section 548-a of the family court act, as added by chapter 398  
53 of the laws of 1997, is amended to read as follows:

54 § 548-a. [~~Paternity~~] Parentage or child support proceedings; suspen-  
55 sion of driving privileges. (a) If the respondent, after receiving  
56 appropriate notice, fails to comply with a summons, subpoena or warrant

1 relating to a [~~paternity~~] parentage or child support proceeding, the  
2 court may order the department of motor vehicles to suspend the respond-  
3 ent's driving privileges.

4 (b) The court may subsequently order the department of motor vehicles  
5 to terminate the suspension of the respondent's driving privileges;  
6 however, the court shall order the termination of such suspension when  
7 the court is satisfied that the respondent has fully complied with the  
8 requirements of all summonses, subpoenas and warrants relating to a  
9 [~~paternity~~] parentage or child support proceeding.

10 § 31. Section 548-b of the family court act, as added by chapter 398  
11 of the laws of 1997, is amended to read as follows:

12 § 548-b. [~~Paternity~~] Parentage or child support proceedings; suspen-  
13 sion of state professional, occupational and business licenses. (a) If  
14 the respondent, after receiving appropriate notice, fails to comply with  
15 a summons, subpoena or warrant relating to a [~~paternity~~] parentage or  
16 child support proceeding, and the court has determined that the respond-  
17 ent is licensed, permitted or registered by or with a board, department,  
18 authority or office of this state or one of its political subdivisions  
19 or instrumentalities to conduct a trade, business, profession or occupa-  
20 tion, the court may order such board, department, authority or office to  
21 commence proceedings as required by law regarding the suspension of such  
22 license, permit, registration or authority to practice and to inform the  
23 court of the actions it has taken pursuant to such proceeding.

24 (b) The court may subsequently order such board, department, authority  
25 or office to terminate the suspension of the respondent's license,  
26 permit, registration or authority to practice; however, the court shall  
27 order the termination of such suspension when the court is satisfied  
28 that the respondent has fully complied with all summons, subpoenas and  
29 warrants relating to a [~~paternity~~] parentage or child support proceed-  
30 ing.

31 § 32. Section 548-c of the family court act, as added by chapter 398  
32 of the laws of 1997, is amended to read as follows:

33 § 548-c. [~~Paternity~~] Parentage or child support proceedings; suspen-  
34 sion of recreational licenses. If the respondent, after receiving appro-  
35 priate notice, fails to comply with a summons, subpoena, or warrant  
36 relating to a [~~paternity~~] parentage or child support proceeding, the  
37 court may order any agency responsible for the issuance of a recreation-  
38 al license to suspend or to refuse to reissue a license to the respond-  
39 ent or to deny application for such license by the respondent. The court  
40 may subsequently order such agency to terminate the adverse action  
41 regarding the respondent's license; however, the court shall order the  
42 termination of such suspension or other adverse action when the court is  
43 satisfied that the respondent has fully complied with the requirements  
44 of all summons, subpoenas, and warrants relating to a [~~paternity~~]  
45 parentage or child support proceeding.

46 § 33. Subdivision (a) of section 549 of the family court act, as  
47 amended by chapter 85 of the laws of 1996, is amended to read as  
48 follows:

49 (a) If an order of [~~filiation~~] parentage is made [~~or if a paternity~~  
50 ~~agreement or compromise is approved by the court~~], in the absence of an  
51 order of custody or of visitation entered by the supreme court the fami-  
52 ly court may make an order of custody or of visitation, in accordance  
53 with subdivision one of section two hundred forty of the domestic  
54 relations law, requiring one parent to permit the other to visit the  
55 child or children at stated periods.

1 § 34. Subdivision (h) of section 551 of the family court act, as  
2 amended by chapter 526 of the laws of 2013, is amended to read as  
3 follows:

4 (h) to pay the reasonable counsel fees and disbursements involved in  
5 obtaining or enforcing the order of the person who is protected by such  
6 order if such order is issued or enforced, whether or not an order of  
7 [~~filiation~~] parentage is made;

8 § 35. Section 561 of the family court act is amended to read as  
9 follows:

10 § 561. Proceedings to compel support by [~~mother~~] parents. Proceedings  
11 may be initiated under article four of this act to compel a [~~mother~~]  
12 parent who fails to support [~~her~~] the child to do so in accord with the  
13 provisions of article four of this act.

14 § 36. Section 562 of the family court act is REPEALED.

15 § 37. Section 563 of the family court act is amended to read as  
16 follows:

17 § 563. [~~Paternity~~] Parentage and support proceedings combined; appor-  
18 tionment. When a proceeding to establish [~~paternity~~] parentage is  
19 initiated under this article, the court on its own motion or on motion  
20 of any person qualified under article four of this act to file a support  
21 petition may direct the filing of a petition under article four to  
22 compel the [~~mother~~] parent to support [~~her~~] the child. If the court  
23 enters an order of [~~filiation~~] parentage, it may apportion the costs of  
24 the support and education of the child between the parents according to  
25 their respective means and responsibilities.

26 § 38. Section 564 of the family court act, as added by chapter 440 of  
27 the laws of 1978, is amended to read as follows:

28 § 564. Order of [~~filiation~~] parentage in other proceedings. (a) In any  
29 proceeding in the family court, whether under this act or under any  
30 other law, if there is an allegation or statement in a petition that a  
31 person is the [~~father~~] parent of a child who is a party to the proceed-  
32 ing or also is a subject of the proceeding and if it shall appear that  
33 the child is a child born [~~out-of-wedlock~~] out of wedlock, the court may  
34 make an order of [~~filiation~~] parentage declaring the [~~paternity~~] parent-  
35 age of the child in accordance with the provisions of this section.

36 (b) The court may make such an order of [~~filiation~~] parentage if (1)  
37 both parents are before the court, (2) the [~~father~~] alleged parent  
38 waives both the filing of a petition under section five hundred twenty-  
39 three of this [~~act~~] article and the right to a hearing under section  
40 five hundred thirty-three of this [~~act~~] article, and (3) the court is  
41 satisfied as to the [~~paternity~~] parentage of the child from the testimo-  
42 ny or sworn statements of the parents.

43 (c) The court may in any such proceeding in its discretion direct  
44 [~~either—the mother or~~] any [~~other~~] person empowered under section five  
45 hundred twenty-two of this [~~act~~] article to file a verified petition  
46 under section five hundred twenty-three of this [~~act~~] article.

47 (d) The provisions of part four of this article five shall apply to  
48 any order of [~~filiation~~] parentage made under this section. The court  
49 may in its discretion direct a severance of proceedings upon such order  
50 of [~~filiation~~] parentage from the proceeding upon the petition referred  
51 to in subdivision (a) of this section.

52 (e) For the purposes of this section the term "petition" shall include  
53 a complaint in a civil action, an accusatory instrument under the crimi-  
54 nal procedure law, a writ of habeas corpus, a petition for supplemental  
55 relief, and any amendment in writing of any of the foregoing.

1 § 39. The article heading of article 5-A of the family court act, as  
2 added by chapter 685 of the laws of 1975, is amended to read as follows:

3 SPECIAL PROVISIONS RELATING TO ENFORCEMENT OF SUPPORT  
4 AND ESTABLISHMENT OF [~~PATERNITY~~] PARENTAGE

5 § 40. The section heading and subdivisions 1 and 8 of section 571 of  
6 the family court act, the section heading as added by chapter 685 of the  
7 laws of 1975 and subdivisions 1 and 8 as amended by section 111 of part  
8 B of chapter 436 of the laws of 1997, are amended to read as follows:

9 Enforcement of support and establishment of [~~paternity~~] parentage. 1.  
10 Any inconsistent provision of this law or any other law notwithstanding,  
11 in cases where a social services official has accepted, on behalf of the  
12 state and a social services district, an assignment of support rights  
13 from a person applying for or receiving family assistance in accordance  
14 with the provisions of the social services law, the social services  
15 official or an authorized representative of the state is authorized to  
16 bring a proceeding or proceedings in the family court pursuant to arti-  
17 cle four of this act to enforce such support rights and, when appropri-  
18 ate or necessary, to establish the [~~paternity~~] parentage of a child  
19 pursuant to article five of this act.

20 8. Any other inconsistent provision of law notwithstanding, if an  
21 applicant for or recipient of family assistance is pregnant, and a  
22 proceeding to establish [~~paternity~~] parentage has been filed, and the  
23 allegation of [~~paternity~~] parentage is denied by the respondent there  
24 shall be a stay of all [~~paternity~~] parentage proceedings until sixty  
25 days after the birth of the child.

26 § 41. Section 817 of the family court act, as amended by chapter 628  
27 of the laws of 1978, is amended to read as follows:

28 § 817. Support, [~~paternity~~] parentage and child protection. On its own  
29 motion and at any time in proceedings under this article, the court may  
30 direct the filing of a child protective petition under article ten of  
31 this [~~chapter~~] act, a support petition under article four, or a [~~pater-~~  
32 ~~nity~~] parentage petition under article five or five-C of this act and  
33 consolidate the proceedings.

34 § 42. Section 1084 of the family court act, as added by chapter 457 of  
35 the laws of 1988, is amended to read as follows:

36 § 1084. [~~Out-of-wedlock~~] Out of wedlock children; [~~paternity~~] parent-  
37 age. No visitation right shall be enforceable under this part concerning  
38 any legal parent or any person claiming to be a parent of an [~~out-of-~~  
39 ~~wedlock~~] out of wedlock child without an adjudication of the [~~paternity~~]  
40 parentage of such person by a court of competent jurisdiction, or with-  
41 out an acknowledgement of the [~~paternity~~] parentage of such person  
42 executed pursuant to applicable provisions of law.

43 § 43. Subdivisions (d) and (g) of rule 4518 of the civil practice law  
44 and rules, subdivision (d) as amended and subdivision (g) as added by  
45 chapter 398 of the laws of 1997, are amended to read as follows:

46 (d) Any records or reports relating to the administration and analysis  
47 of a genetic marker or DNA test, including records or reports of the  
48 costs of such tests, administered pursuant to sections four hundred  
49 eighteen and five hundred thirty-two of the family court act or section  
50 one hundred eleven-k of the social services law are admissible in  
51 evidence under this rule and are prima facie evidence of the facts  
52 contained therein provided they bear a certification or authentication  
53 by the head of the hospital, laboratory, department or bureau of a  
54 municipal corporation or the state or by an employee delegated for that  
55 purpose, or by a qualified physician. If such record or report relating  
56 to the administration and analysis of a genetic marker test or DNA test

1 or tests administered pursuant to sections four hundred eighteen and  
2 five hundred thirty-two of the family court act or section one hundred  
3 eleven-k of the social services law indicates at least a ninety-five  
4 percent probability of [~~paternity~~] parentage, the admission of such  
5 record or report shall create a rebuttable presumption of [~~paternity~~]  
6 parentage, and shall, if un rebutted, establish the [~~paternity~~] parentage  
7 of and liability for the support of a child pursuant to articles four  
8 and five of the family court act.

9 (g) Pregnancy and childbirth costs. Any hospital bills or records  
10 relating to the costs of pregnancy or birth of a child for whom  
11 proceedings to establish [~~paternity~~] parentage, pursuant to sections  
12 four hundred eighteen [~~and~~], five hundred thirty-two and article five-C  
13 of the family court act or section one hundred eleven-k of the social  
14 services law have been or are being undertaken, are admissible in  
15 evidence under this rule and are prima facie evidence of the facts  
16 contained therein, provided they bear a certification or authentication  
17 by the head of the hospital, laboratory, department or bureau of a  
18 municipal corporation or the state or by an employee designated for that  
19 purpose, or by a qualified physician.

20 § 44. Subdivision 4 of section 75-a of the domestic relations law, as  
21 added by chapter 386 of the laws of 2001, is amended to read as follows:

22 4. "Child custody proceeding" means a proceeding in which legal custo-  
23 dy, physical custody, or visitation with respect to a child is an issue.  
24 The term includes a proceeding for divorce, separation, neglect, abuse,  
25 dependency, guardianship, parentage or paternity, termination of  
26 parental rights, and protection from domestic violence, in which the  
27 issue may appear. The term does not include a proceeding involving juve-  
28 nile delinquency, person in need of supervision, contractual emancipa-  
29 tion, or enforcement under title three of this article.

30 § 45. The section heading and subdivisions 1 and 3 of section 111-b of  
31 the domestic relations law, as added by chapter 575 of the laws of 1980,  
32 are amended to read as follows:

33 Determination of issue of [~~paternity~~] parentage by surrogate; limita-  
34 tions. 1. In the course of an adoption proceeding conducted pursuant to  
35 this article the surrogate shall have jurisdiction to determine any  
36 issue of [~~paternity~~] parentage arising in the course of the same  
37 proceeding and to make findings and issue an order thereon.

38 3. A judge of the family court shall continue to exercise all of the  
39 powers relating to adoption and declaration of [~~paternity~~] parentage  
40 conferred upon the family court by law.

41 § 46. Paragraph (j) of subdivision 1 of section 240 of the domestic  
42 relations law, as amended by chapter 624 of the laws of 2002, is amended  
43 to read as follows:

44 (j) The order shall be effective as of the date of the application  
45 therefor, and any retroactive amount of child support due shall be  
46 support arrears/past due support and shall, except as provided for here-  
47 in, be paid in one lump sum or periodic sums, as the court shall direct,  
48 taking into account any amount of temporary support which has been paid.  
49 In addition, such retroactive child support shall be enforceable in any  
50 manner provided by law including, but not limited to, an execution for  
51 support enforcement pursuant to subdivision (b) of section fifty-two  
52 hundred forty-one of the civil practice law and rules. When a child  
53 receiving support is a public assistance recipient, or the order of  
54 support is being enforced or is to be enforced pursuant to section one  
55 hundred eleven-g of the social services law, the court shall establish  
56 the amount of retroactive child support and notify the parties that such

1 amount shall be enforced by the support collection unit pursuant to an  
2 execution for support enforcement as provided for in subdivision (b) of  
3 section fifty-two hundred forty-one of the civil practice law and rules,  
4 or in such periodic payments as would have been authorized had such an  
5 execution been issued. In such case, the courts shall not direct the  
6 schedule of repayment of retroactive support. Where such direction is  
7 for child support and [paternity] parentage has been established by a  
8 voluntary acknowledgement of [paternity] parentage as defined in section  
9 forty-one hundred thirty-five-b of the public health law, the court  
10 shall inquire of the parties whether the acknowledgement has been duly  
11 filed, and unless satisfied that it has been so filed shall require the  
12 clerk of the court to file such acknowledgement with the appropriate  
13 registrar within five business days. Such direction may be made in the  
14 final judgment in such action or proceeding, or by one or more orders  
15 from time to time before or subsequent to final judgment, or by both  
16 such order or orders and the final judgment. Such direction may be made  
17 notwithstanding that the court for any reason whatsoever, other than  
18 lack of jurisdiction, refuses to grant the relief requested in the  
19 action or proceeding. Any order or judgment made as in this section  
20 provided may combine in one lump sum any amount payable to the custodial  
21 parent under this section with any amount payable to such parent under  
22 section two hundred thirty-six of this article. Upon the application of  
23 either parent, or of any other person or party having the care, custody  
24 and control of such child pursuant to such judgment or order, after such  
25 notice to the other party, parties or persons having such care, custody  
26 and control and given in such manner as the court shall direct, the  
27 court may annul or modify any such direction, whether made by order or  
28 final judgment, or in case no such direction shall have been made in the  
29 final judgment may, with respect to any judgment of annulment or declar-  
30 ing the nullity of a void marriage rendered on or after September first,  
31 nineteen hundred forty, or any judgment of separation or divorce whenev-  
32 er rendered, amend the judgment by inserting such direction. Subject to  
33 the provisions of section two hundred forty-four of this article, no  
34 such modification or annulment shall reduce or annul arrears accrued  
35 prior to the making of such application unless the defaulting party  
36 shows good cause for failure to make application for relief from the  
37 judgment or order directing such payment prior to the accrual of such  
38 arrears. Such modification may increase such child support nunc pro tunc  
39 as of the date of application based on newly discovered evidence. Any  
40 retroactive amount of child support due shall be support arrears/past  
41 due support and shall be paid in one lump sum or periodic sums, as the  
42 court shall direct, taking into account any amount of temporary child  
43 support which has been paid. In addition, such retroactive child support  
44 shall be enforceable in any manner provided by law including, but not  
45 limited to, an execution for support enforcement pursuant to subdivision  
46 (b) of section fifty-two hundred forty-one of the civil practice law and  
47 rules.

48 § 47. Subdivision (b) of section 244-b of the domestic relations law,  
49 as added by chapter 398 of the laws of 1997, is amended to read as  
50 follows:

51 (b) If the respondent, after receiving appropriate notice, fails to  
52 comply with a summons, subpoena or warrant relating to a [paternity]  
53 parentage proceeding under article five of the family court act or child  
54 support proceeding, the court may order the department of motor vehicles  
55 to suspend the respondent's driving privileges. The court may subse-  
56 quently order the department of motor vehicles to terminate the suspen-

1 sion of the respondent's driving privileges; however, the court shall  
2 order the termination of such suspension when the court is satisfied  
3 that the respondent has fully complied with all summonses, subpoenas and  
4 warrants relating to a [~~paternity~~] parentage proceeding under article  
5 five of the family court act or child support proceeding.

6 § 48. Subdivision (b) of section 244-c of the domestic relations law,  
7 as added by chapter 398 of the laws of 1997, is amended to read as  
8 follows:

9 (b) If the respondent, after receiving appropriate notice, fails to  
10 comply with a summons, subpoena or warrant relating to a [~~paternity~~]  
11 parentage proceeding under article five of the family court act or child  
12 support proceeding, and the court has determined that the respondent is  
13 licensed, permitted or registered by or with a board, department,  
14 authority or office of this state or one of its political subdivisions  
15 or instrumentalities to conduct a trade, business, profession or occupa-  
16 tion, the court may order such board, department, authority or office to  
17 commence proceedings as required by law regarding the suspension of such  
18 license, permit, registration or authority to practice and to inform the  
19 court of the actions it has taken pursuant to such proceeding. The court  
20 may subsequently order such board, department, authority or office to  
21 terminate the suspension of the respondent's license, permit, registra-  
22 tion or authority to practice; however, the court shall order the termi-  
23 nation of such suspension when the court is satisfied that the respond-  
24 ent has fully complied with all summons, subpoenas and warrants relating  
25 to a [~~paternity~~] parentage proceeding under article five of the family  
26 court act or child support proceeding.

27 § 49. Subdivision (b) of section 244-d of the domestic relations law,  
28 as added by chapter 398 of the laws of 1997, is amended to read as  
29 follows:

30 (b) If the respondent, after receiving appropriate notice, fails to  
31 comply with a summons, subpoena, or warrant relating to a [~~paternity~~]  
32 parentage proceeding under article five of the family court act or child  
33 support proceeding, the court may order any agency responsible for the  
34 issuance of a recreational license to suspend or to refuse to reissue a  
35 license to the respondent or to deny application for such license by the  
36 respondent. The court may subsequently order such agency to terminate  
37 the adverse action regarding the respondent's license; however, the  
38 court shall order the termination of such suspension or other adverse  
39 action when the court is satisfied that the respondent has fully  
40 complied with the requirements of all summons, subpoenas, and warrants  
41 relating to a [~~paternity~~] parentage proceeding under article five of the  
42 family court act or child support proceeding.

43 § 50. Paragraph (a) of subdivision 6 of section 256 of the executive  
44 law, as amended by chapter 601 of the laws of 2007, is amended to read  
45 as follows:

46 (a) Each probation agency or department and state operated probation  
47 services shall provide for intake, investigation, supervision and  
48 conciliation services relating to custody, visitation and [~~paternity~~]  
49 parentage proceedings and may provide for such services in support  
50 proceedings under the provisions of articles four, five, five-A and six  
51 of the family court act. For purposes of this subdivision, intake  
52 services: (i) relating to support proceedings under article four and  
53 relating to [~~paternity~~] parentage proceedings under articles five and  
54 five-A of the family court act, shall include referral to the office of  
55 temporary and disability assistance's child support enforcement unit in  
56 cases where a person is applying for or receiving public assistance or

1 where a person chooses to utilize the services of such unit; (ii) relat-  
 2 ing to support proceedings under article four of the family court act,  
 3 shall include services rendered to the payors of support orders seeking  
 4 to modify such orders.

5 § 51. Paragraphs a and g of subdivision 2-a of section 90 of the judi-  
 6 ciary law, as amended by chapter 398 of the laws of 1997, are amended to  
 7 read as follows:

8 a. The provisions of this subdivision shall apply in all cases of an  
 9 attorney licensed, registered or admitted to practice in this state who  
 10 has failed after receiving appropriate notice, to comply with a summons,  
 11 subpoena or warrant relating to a [~~paternity~~] parentage proceeding under  
 12 article five of the family court act or child support proceeding involv-  
 13 ing [~~him or her~~] the attorney personally, or who is in arrears in  
 14 payment of child support or combined child and spousal support which  
 15 matter shall be referred to the appropriate appellate division by a  
 16 court pursuant to the requirements of section two hundred forty-four-c  
 17 of the domestic relations law or pursuant to section four hundred  
 18 fifty-eight-b or five hundred forty-eight-b of the family court act.

19 g. This subdivision two-a applies to [~~paternity~~] parentage and child  
 20 support proceedings commenced under, and support obligations paid pursu-  
 21 ant to any order of child support or child and spousal support issued  
 22 under provisions of section two hundred thirty-six or two hundred forty  
 23 of the domestic relations law, or article four, five, five-A or five-B  
 24 of the family court act.

25 § 52. The section heading and subdivision 1 of section 110-a of the  
 26 social services law, the section heading as added by chapter 773 of the  
 27 laws of 1974 and subdivision 1 as amended by chapter 456 of the laws of  
 28 1978, are amended to read as follows:

29 Special provisions for legal services to enforce support to recover  
 30 costs of public assistance and care and to establish [~~paternity~~] parent-  
 31 age. 1. Any inconsistent provision of law notwithstanding, the appro-  
 32 priating body of a social services district may authorize and make  
 33 provision for the social services commissioner of such district to  
 34 obtain: (a) necessary legal services on a fee for service basis or  
 35 other appropriate basis which the department may approve, to obtain  
 36 support from spouses and parents, to recover costs of public assistance  
 37 and care granted, to establish [~~paternity~~] parentage, and to initiate  
 38 and prosecute proceedings for the commitment of the guardianship and  
 39 custody of destitute or dependent children to authorized agencies,  
 40 pursuant to the provisions of this chapter and the domestic relations  
 41 law, the family court act and other laws, and (b) necessary services of  
 42 private investigators, licensed pursuant to section seventy of the  
 43 general business law, on a fee for service or other appropriate basis  
 44 which the department may approve, to provide investigative assistance in  
 45 efforts of the district to locate absent parents [~~and fathers~~] of chil-  
 46 dren born out of wedlock.

47 § 53. The title heading of title 6-A of article 3 of the social  
 48 services law, as added by chapter 685 of the laws of 1975, is amended to  
 49 read as follows:

50 ESTABLISHMENT OF [~~PATERNITY~~] PARENTAGE AND ENFORCEMENT  
 51 OF SUPPORT

52 § 54. Subdivisions 1, 2-a and subparagraph 1 of paragraph (d) of  
 53 subdivision 4-a of section 111-b of the social services law, subdivision  
 54 1 as added by chapter 685 of the laws of 1975, subdivision 2-a as  
 55 amended by chapter 815 of the laws of 1987 and subparagraph 1 of para-

1 graph (d) of subdivision 4-a as added by chapter 398 of the laws of  
2 1997, are amended to read as follows:

3 1. The single organizational unit within the department shall be  
4 responsible for the supervision of the activities of state and local  
5 officials relating to establishment of [~~paternity~~] parentage of children  
6 born [~~out-of-wedlock~~] out of wedlock, location of absent parents and  
7 enforcement of support obligations of legally responsible relatives to  
8 contribute for the support of their dependents.

9 2-a. The department shall prepare a notice which shall be distributed  
10 by social services officials to persons who may be required to assign  
11 support rights which notice shall explain the rights and obligations  
12 that may result from the establishment of [~~paternity~~] parentage and the  
13 right of the assignor to be kept informed, upon request, of the time,  
14 date and place of any proceedings involving the assignor and such other  
15 information as the department believes is pertinent. The notice shall  
16 state that the attorney initiating the proceeding represents the depart-  
17 ment.

18 (1) information on administrative actions and administrative and judi-  
19 cial proceedings and orders relating to [~~paternity~~] parentage and  
20 support;

21 § 55. Paragraph g of subdivision 2 of section 111-c of the social  
22 services law, as amended by section 18 of part L of chapter 56 of the  
23 laws of 2020, is amended to read as follows:

24 g. obtain from respondent, when appropriate and in accordance with the  
25 procedures established by section one hundred eleven-k of this [~~chapter~~]  
26 title, an acknowledgement of parentage or an agreement to make support  
27 payments, or both;

28 § 56. Subdivision 1 of section 111-d of the social services law, as  
29 amended by chapter 502 of the laws of 1990, is amended to read as  
30 follows:

31 1. The provisions of section one hundred fifty-three of this chapter  
32 shall be applicable to expenditures by social services districts for  
33 activities related to the establishment of [~~paternity~~] parentage of  
34 children born [~~out-of-wedlock~~] out of wedlock, the location of deserting  
35 parents and the enforcement and collection of support obligations owed  
36 to recipients of aid to dependent children and persons receiving  
37 services pursuant to section one hundred eleven-g of this title.

38 § 57. The section heading and subdivision 1 of section 111-g of the  
39 social services law, as amended by section 1 of part Z of chapter 57 of  
40 the laws of 2008, are amended to read as follows:

41 Availability of [~~paternity~~] parentage and support services. 1. The  
42 office of temporary and disability assistance and the social services  
43 districts, in accordance with the regulations of the office of temporary  
44 and disability assistance, shall make services relating to the estab-  
45 lishment of [~~paternity~~] parentage and the establishment and enforcement  
46 of support obligations available to persons not receiving family assist-  
47 ance upon application by such persons. Such persons must apply by (i)  
48 completing and signing a form as prescribed by the office of temporary  
49 and disability assistance, or (ii) filing a petition with the court or  
50 applying to the court in a proceeding for the establishment of [~~paterni-~~  
51 ~~ty~~] parentage and/or establishment and/or enforcement of a support obli-  
52 gation, which includes a statement signed by the person requesting  
53 services clearly indicating that such person is applying for child  
54 support enforcement services pursuant to this title.

55 § 58. Section 111-p of the social services law, as added by chapter  
56 398 of the laws of 1997, is amended to read as follows:

1 § 111-p. Authority to issue subpoenas. The department or the child  
2 support enforcement unit coordinator or support collection unit supervi-  
3 sor of a social services district, or [~~his or her~~] the department's  
4 designee, or another state's child support enforcement agency governed  
5 by title IV-D of the social security act, shall be authorized, whether  
6 or not a proceeding is currently pending, to subpoena from any person,  
7 public or private entity or governmental agency, and such person, entity  
8 or agency shall provide any financial or other information needed to  
9 establish [~~paternity~~] parentage and to establish, modify or enforce any  
10 support order. If a subpoena is served when a petition is not currently  
11 pending, the supreme court or a judge of the family court may hear and  
12 decide all motions relating to the subpoena. If the subpoena is served  
13 after a petition has been served, the court in which the petition is  
14 returnable shall hear and decide all motions relating to the subpoena.  
15 Any such person, entity, or agency shall provide the subpoenaed informa-  
16 tion by the date as specified in the subpoena. Such subpoena shall be  
17 subject to the provisions of article twenty-three of the civil practice  
18 law and rules. The department or district may impose a penalty for fail-  
19 ure to respond to such information subpoenas pursuant to section twen-  
20 ty-three hundred eight of the civil practice law and rules.

21 § 59. Section 111-r of the social services law, as added by chapter  
22 398 of the laws of 1997, is amended to read as follows:

23 § 111-r. Requirement to respond to requests for information. All  
24 employers, as defined in section one hundred eleven-m of this [~~article~~]  
25 title (including for-profit, not-for-profit and governmental employers),  
26 are required to provide information promptly on the employment, compen-  
27 sation and benefits of any individual employed by such employer as an  
28 employee or contractor, when the department or a social services  
29 district or its authorized representative, or another state's child  
30 support enforcement agency governed by title IV-D of the social security  
31 act, requests such information for the purpose of establishing [~~paterni-~~  
32 ~~ty~~] parentage, or establishing, modifying or enforcing an order of  
33 support. To the extent feasible, such information shall be requested  
34 and provided using automated systems, and shall include, but is not  
35 limited to, information regarding the individual's last known address,  
36 date of birth, social security number, plans providing health care or  
37 other medical benefits by insurance or otherwise, wages, salaries, earn-  
38 ings or other income of such individual. Notwithstanding any other  
39 provision of law to the contrary, such officials are not required to  
40 obtain an order from any judicial or administrative tribunal in order to  
41 request or receive such information. The department shall be authorized  
42 to impose a penalty for failure to respond to such requests of five  
43 hundred dollars for an initial failure and seven hundred dollars for the  
44 second and subsequent failure.

45 § 60. The opening paragraph of subdivision 1 of section 111-s of the  
46 social services law, as added by chapter 398 of the laws of 1997, is  
47 amended to read as follows:

48 For the purpose of establishing [~~paternity~~] parentage, or establish-  
49 ing, modifying or enforcing an order of support, the department or a  
50 social services district or its authorized representative, and child  
51 support enforcement agencies of other states established pursuant to  
52 title IV-D of the social security act, without the necessity of obtain-  
53 ing an order from any other judicial or administrative tribunal and  
54 subject to safeguards on privacy and information security, shall have  
55 access to information contained in the following records:

1 § 61. Subparagraph 1 of paragraph (a) of subdivision 2 of section  
2 111-v of the social services law, as added by chapter 398 of the laws of  
3 1997, is amended to read as follows:

4 (1) safeguards against unauthorized use or disclosure of information  
5 relating to procedures or actions to establish [~~paternity~~] parentage or  
6 to establish or enforce support;

7 § 62. Subdivision 16 of section 131 of the social services law, as  
8 added by chapter 214 of the laws of 1998, is amended to read as follows:

9 16. If, in accordance with section one hundred fifty-eight, three  
10 hundred forty-nine-b or other provisions of this chapter, the social  
11 services official determines that an individual is not cooperating in  
12 establishing [~~paternity~~] parentage or in establishing, modifying, or  
13 enforcing a support order with respect to a child of the individual, and  
14 the individual does not have good cause for such failure or is not  
15 otherwise excepted from so cooperating in accordance with regulations of  
16 the department, the assistance given to the household shall be reduced  
17 by twenty-five percent.

18 § 63. Subdivisions 1 and 3 of section 132-a of the social services  
19 law, as added by chapter 184 of the laws of 1969, are amended to read as  
20 follows:

21 1. When an investigation is required by section one hundred thirty-two  
22 of this article and other provisions of this chapter for the purpose of  
23 determining the eligibility for public assistance and care of an appli-  
24 cant pregnant with or who is the [~~mother~~] gestational parent of an out  
25 of wedlock child such investigation shall include diligent inquiry into  
26 the [~~paternity~~] parentage of such child.

27 3. In appropriate cases, such applicant shall be required to file a  
28 petition in the family court instituting proceedings to determine the  
29 [~~paternity~~] parentage of [~~her~~] the child, and [~~she~~] such parent shall be  
30 required to assist and cooperate in establishing such [~~paternity~~]  
31 parentage. However, such a petition shall not be required to be filed if  
32 the child has been surrendered to the social services official for  
33 adoption or if such surrender is under consideration in accordance with  
34 the provisions of section one hundred thirty-two of this article.

35 § 64. Paragraph (b) of subdivision 1 and subdivision 2 of section  
36 349-b of the social services law, paragraph (b) of subdivision 1 as  
37 amended by chapter 398 of the laws of 1997 and subdivision 2 as added by  
38 chapter 685 of the laws of 1975, are amended to read as follows:

39 (b) to cooperate with the state and the social services official, in  
40 accordance with standards established by regulations of the department  
41 consistent with federal law, in establishing the [~~paternity~~] parentage  
42 of a child born [~~out-of-wedlock~~] out of wedlock for whom assistance  
43 under this title is being applied for or received, in their efforts to  
44 locate any absent parent and in obtaining support payments or any other  
45 payments or property due such person and due each child for whom assist-  
46 ance under this title is being applied for or received, except that an  
47 applicant or recipient shall not be required to cooperate in such  
48 efforts in cases in which the social services official has determined,  
49 in accordance with criteria, including the best interests of the child,  
50 as established by regulations of the department consistent with federal  
51 law, that such applicant or recipient has good cause to refuse to coop-  
52 erate. Each social service district shall inform applicants for and  
53 recipients of family assistance required to cooperate with the state and  
54 local social services officials pursuant to the provisions of this para-  
55 graph, that where a proceeding to establish [~~paternity~~] parentage has  
56 been filed, and the allegation of [~~paternity~~] parentage has been denied

1 by the respondent, that there shall be a stay of all [~~paternity~~] parent-  
2 age proceedings and related local social services proceedings until  
3 sixty days after the birth of the child. Such applicants and recipients  
4 shall also be informed that public assistance and care shall not be  
5 denied during the stay on the basis of refusal to cooperate pursuant to  
6 the provisions of this paragraph.

7 2. The amount of the payments due from the absent parent in meeting  
8 [~~his~~] such parent's support obligations under this section shall be the  
9 amount of a current court support order or, in the absence of a court  
10 order, if such parent agrees to meet [~~his~~] the parent's support obli-  
11 gation, an amount to be determined in accordance with a support formula  
12 established by the department and approved by the secretary of the  
13 federal department of health[~~, education and welfare~~] and human  
14 services.

15 § 65. Paragraphs (a), (d), (e) and (f) of subdivision 1 of section  
16 352-a of the social services law, paragraphs (a), (d) and (e) as added  
17 by chapter 187 of the laws of 1969 and paragraph (f) as amended by chap-  
18 ter 685 of the laws of 1975, are amended to read as follows:

19 (a) to ascertain who may be the [~~putative father~~] parent of such  
20 child born out of wedlock, and take appropriate steps to establish the  
21 [~~paternity~~] parentage thereof in accordance with applicable provisions  
22 of law;

23 (d) to establish cooperative arrangements with the family court,  
24 county attorneys, corporation counsels and other law enforcement offi-  
25 cials, for the establishment of [~~paternity~~] parentage and location of  
26 missing parents of such children and for the enforcement of their obli-  
27 gations to support or contribute to support of such children to the  
28 extent of their ability;

29 (e) to provide pertinent information to such court and law enforce-  
30 ment officials to enable them to assist in locating [~~putative fathers~~]  
31 alleged and deserting parents of such children, in establishing [~~pater-~~  
32 nity] parentage and in securing support payments therefrom, provided  
33 that there is an agreement between such social services official and  
34 such court and such law enforcement officials insuring that such infor-  
35 mation will be used only for the purpose intended;

36 (f) to reimburse, to the extent that state and federal requirements  
37 authorize or require, appropriate courts and law enforcement officials  
38 for activities related to the requirements of this chapter and the fami-  
39 ly court act with respect to establishment of [~~paternity~~] parentage and  
40 for services they have undertaken on behalf of such official.

41 § 66. Subparagraph 3 of paragraph (d) of subdivision 1 of section 366  
42 of the social services law, as amended by section 2 of part CCC of chap-  
43 ter 56 of the laws of 2022, is amended to read as follows:

44 (3) cooperates with the appropriate social services official or the  
45 department in establishing [~~paternity~~] parentage or in establishing,  
46 modifying, or enforcing a support order with respect to [~~his or her~~] the  
47 child; provided, however, that nothing herein contained shall be  
48 construed to require a payment under this title for care or services,  
49 the cost of which may be met in whole or in part by a third party;  
50 notwithstanding the foregoing, a social services official shall not  
51 require such cooperation if the social services official or the depart-  
52 ment determines that such actions would be detrimental to the best  
53 interest of the child, applicant, or recipient, or with respect to preg-  
54 nant women during pregnancy and during the one year period beginning on  
55 the last day of pregnancy, in accordance with procedures and criteria

1 established by regulations of the department consistent with federal  
2 law; and

3 § 67. Subdivisions 1, 2, 3 and 4 of section 372-c of the social  
4 services law, subdivisions 1 and 2 as amended by section 20 of part L of  
5 chapter 56 of the laws of 2020 and subdivisions 3 and 4 as added by  
6 chapter 665 of the laws of 1976, are amended to read as follows:

7 1. The department shall establish a putative father registry which  
8 shall record the names and addresses of: (a) any person adjudicated by  
9 a court of this state to be the parent of a child born out of wedlock;  
10 (b) any person who has filed with the registry before or after the birth  
11 of a child out of wedlock, a notice of intent to claim parentage of the  
12 child; (c) any person adjudicated by a court of another state or terri-  
13 tory of the United States to be the father of an out of wedlock child,  
14 where a certified copy of the court order has been filed with the regis-  
15 try by such person or any other person; (d) any person who has filed  
16 with the registry an instrument acknowledging [~~paternity~~] parentage  
17 pursuant to section 4-1.2 of the estates, powers and trusts law or  
18 section forty-one hundred thirty-five-b of the public health law.

19 2. A person filing a notice of intent to claim parentage of a child or  
20 an acknowledgement of [~~paternity~~] parentage shall include therein [~~his~~]  
21 such person's current address and shall notify the registry of any  
22 change of address pursuant to procedures prescribed by regulations of  
23 the department.

24 3. A person who has filed a notice of intent to claim [~~paternity~~]  
25 parentage may at any time revoke a notice of intent to claim [~~paternity~~]  
26 parentage previously filed therewith and, upon receipt of such notifica-  
27 tion by the registry, the revoked notice of intent to claim [~~paternity~~]  
28 parentage shall be deemed a nullity nunc pro tunc.

29 4. An unrevoked notice of intent to claim [~~paternity~~] parentage of a  
30 child may be introduced in evidence by any party, other than the person  
31 who filed such notice, in any proceeding in which such fact may be rele-  
32 vant.

33 § 68. Subdivision 4 of section 3-503 of the general obligations law,  
34 as amended by chapter 398 of the laws of 1997, is amended to read as  
35 follows:

36 4. Every application shall state in bold face that persons who are  
37 four months or more in arrears in child support or who have failed to  
38 comply with a summons, subpoena or warrant relating to a [~~paternity~~]  
39 parentage proceeding under article five of the family court act or child  
40 support proceeding may be subject to suspension of their business,  
41 professional, drivers and/or recreational licenses and permits includ-  
42 ing, but not limited to, licences issued pursuant to section 11-0713 of  
43 the environmental conservation law.

44 § 69. The subdivision heading of subdivision 4-e of section 510 of the  
45 vehicle and traffic law, as amended by chapter 601 of the laws of 2007,  
46 is amended to read as follows:

47 4-e. Suspension and disqualification for failure to make child support  
48 payments or failure to comply with a summons, subpoena or warrant relat-  
49 ing to a [~~paternity~~] parentage proceeding under article five of the  
50 family court act or child support proceeding.

51 § 70. Paragraphs (a) and (d) of subdivision 4 of section 119 of the  
52 alcoholic beverage control law, paragraph (a) as amended and paragraph  
53 (d) as added by chapter 398 of the laws of 1997, are amended to read as  
54 follows:

55 (a) The provisions of this subdivision shall apply in all cases of  
56 licensee or permittee failure after receiving appropriate notice, to

1 comply with a summons, subpoena or warrant relating to a [~~paternity~~  
2 parentage proceeding under article five of the family court act or child  
3 support proceeding and arrears in payment of child support or combined  
4 child and spousal support referred to the authority by a court pursuant  
5 to the requirements of section two hundred forty-four-c of the domestic  
6 relations law or pursuant to section four hundred fifty-eight-b or five  
7 hundred forty-eight-b of the family court act.

8 (d) Upon receipt of an order from the court based on failure to comply  
9 with a summons, subpoena, or warrant relating to a [~~paternity~~ parentage  
10 proceeding under article five of the family court act or child support  
11 proceeding, the authority, if it finds such person has been issued a  
12 license or permit, shall within thirty days of receipt of such order  
13 from the court, provide notice to the licensee or permittee that [~~his or~~  
14 ~~her~~] the licensee's license shall be suspended in sixty days unless the  
15 conditions in paragraph (e) of this subdivision are met.

16 § 71. The section heading and subdivisions 1 and 5 of section 6509-c  
17 of the education law, as added by chapter 398 of the laws of 1997, are  
18 amended to read as follows:

19 Additional definition of professional misconduct; failure to comply in  
20 [~~paternity~~ parentage or child support proceedings; limited application.

21 1. The provisions of this section shall apply in all cases of licensee  
22 or registrant failure after receiving appropriate notice, to comply with  
23 a summons, subpoena or warrant relating to a [~~paternity~~ parentage or  
24 child support proceeding referred to the board of regents by a court  
25 pursuant to the requirements of section two hundred forty-four-c of the  
26 domestic relations law or pursuant to section four hundred fifty-eight-b  
27 or five hundred forty-eight-b of the family court act.

28 5. This section applies to [~~paternity~~ parentage or child support  
29 proceedings commenced under, and support obligations paid pursuant to  
30 any order of child support or child and spousal support issued under  
31 provisions of section two hundred thirty-six or two hundred forty of the  
32 domestic relations law, or article four, five, five-A or five-B of the  
33 family court act.

34 § 72. This act shall take effect on the first day of November after it  
35 shall have become a law; provided, however, that:

36 (a) the amendments to subdivision (a) of section 439 of the family  
37 court act made by section five of this act shall be subject to the expi-  
38 ration and reversion of such subdivision pursuant to subdivision 19 of  
39 section 246 of chapter 81 of the laws of 1995 as amended, when upon such  
40 date the provisions of section five-a of this act shall take effect; and

41 (b) the amendments to subdivision 4-e of section 510 of the vehicle  
42 and traffic law made by section two of this act shall not affect the  
43 repeal of such subdivision and shall be deemed repealed therewith.