S T A T E O F N E W Y O R K

7222

2009-2010 Regular Sessions

I N A S S E M B L Y

March 26, 2009

Introduced by M. of A. V. LOPEZ -- read once and referred to the Committee on Judiciary

AN ACT to amend the domestic relations law, in relation to outlining when the consent of the father of a child born out of wedlock is required for adoption of such child

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

Section 1. Paragraph (e) of subdivision 1 of section 111 of the domestic relations law, as added by chapter 575 of the laws of 1980, is amended to read as follows:

(e) Of the father, whether adult or infant, of a child born out-of-wedlock who is under the age of six months at the time he is placed for adoption, but only if: (i) such father openly lived with the child or the child's mother [for a continuous period of six months immediately preceding] PRIOR TO the placement of the child for adoption; [and] OR (ii) such father openly held himself out to be the father of such child during such period; [and] OR (iii) such father paid a fair and reasonable sum, in accordance with his means, for the medical, hospital and nursing expenses incurred in connection with the mother's pregnancy or with the birth of the child; OR (IV) SUCH FATHER HAS INITIATED JUDICIAL PROCEEDINGS TO OBTAIN CUSTODY OF THE CHILD; OR (V) SUCH FATHER HAS MARRIED THE CHILD'S MOTHER.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, necessary rules and regulations may be promulgated to ensure implementation of the provisions of this act on such effective date.

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

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