

STATE OF NEW YORK

8382--A

Cal. No. 275

2025-2026 Regular Sessions

IN ASSEMBLY

May 13, 2025

Introduced by M. of A. PAULIN, WEPRIN -- read once and referred to the Committee on Governmental Operations -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- reference changed to the Committee on Judiciary -- reported and referred to the Committee on Codes -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

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,

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

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1 notwithstanding that such person is not a resident or domiciliary of the
2 state.

3 § 3. Paragraph (viii) of subdivision (a) of section 262 of the family
4 court act, as added by chapter 456 of the laws of 1978, is amended to
5 read as follows:

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

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

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

43 § 5. Subdivisions (a), (b) and (c) of section 439 of the family court
44 act, subdivision (a) as amended by section 21 of part L of chapter 56 of
45 the laws of 2020, subdivision (b) as amended by chapter 568 of the laws
46 of 2024 and subdivision (c) as amended by chapter 576 of the laws of
47 2005, are amended to read as follows:

48 (a) The chief administrator of the courts shall provide, in accordance
49 with subdivision (f) of this section, for the appointment of a suffi-
50 cient number of support magistrates to hear and determine support
51 proceedings. Except as hereinafter provided, support magistrates shall
52 be empowered to hear, determine and grant any relief within the powers
53 of the court in any proceeding under this article, articles five,
54 five-A, five-B and five-C and sections two hundred thirty-four and two
55 hundred thirty-five of this act, and objections raised pursuant to
56 section five thousand two hundred forty-one of the civil practice law

1 and rules. Support magistrates shall not be empowered to hear, determine
2 and grant any relief with respect to issues specified in section four
3 hundred fifty-five of this article, issues of contested parentage
4 involving claims of equitable estoppel, custody, visitation including
5 visitation as a defense, determinations of parentage made pursuant to
6 section 581-407 of this act, and orders of protection or exclusive
7 possession of the home, which shall be referred to a judge as provided
8 in subdivision (b) or (c) of this section. Where an order of [~~filiation~~]
9 ~~parentage~~ is issued by a judge in a [~~paternity~~] ~~parentage~~ proceeding and
10 child support is in issue, the judge, or support magistrate upon refer-
11 ral from the judge, shall be authorized to immediately make a temporary
12 or final order of support, as applicable. A support magistrate shall
13 have the authority to hear and decide motions and issue summonses and
14 subpoenas to produce persons pursuant to section one hundred fifty-three
15 of this act, hear and decide proceedings and issue any order authorized
16 by subdivision (g) of section five thousand two hundred forty-one of the
17 civil practice law and rules, issue subpoenas to produce prisoners
18 pursuant to section two thousand three hundred two of the civil practice
19 law and rules and make a determination that any person before the
20 support magistrate is in violation of an order of the court as author-
21 ized by section one hundred fifty-six of this act subject to confirma-
22 tion by a judge of the court who shall impose any punishment for such
23 violation as provided by law. A determination by a support magistrate
24 that a person is in willful violation of an order under subdivision
25 three of section four hundred fifty-four of this article and that recom-
26 mends commitment shall be transmitted to the parties, accompanied by
27 findings of fact, but the determination shall have no force and effect
28 until confirmed by a judge of the court.

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

53 (c) The support magistrate, in any proceeding in which issues speci-
54 fied in section four hundred fifty-five of this [~~act~~] ~~article~~, or issues
55 of custody, visitation, including visitation as a defense, orders of
56 protection or exclusive possession of the home are present or in which

1 [~~paternity~~] parentage is contested on the grounds of equitable estoppel,
2 shall make a temporary order of support and refer the proceeding to a
3 judge. Upon determination of such issue by a judge, the judge may make a
4 final determination of the issue of support, or immediately refer the
5 proceeding to a support magistrate for further proceedings regarding
6 child support or other matters within the authority of the support
7 magistrate.

8 § 5-a. Subdivision (a) of section 439 of the family court act, as
9 amended by section 2 of chapter 468 of the laws of 2012, is amended to
10 read as follows:

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

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

49 (b) If the respondent, after receiving appropriate notice, fails to
50 comply with a summons, subpoena or warrant relating to a [~~paternity~~]
51 parentage proceeding under article five of this act or child support
52 proceeding, the court may order the department of motor vehicles to
53 suspend the respondent's driving privileges. The court may subsequently
54 order the department of motor vehicles to terminate the suspension of
55 the respondent's driving privileges; however, the court shall order the
56 termination of such suspension when the court is satisfied that the

1 respondent has fully complied with the requirements of all summonses,
2 subpoenas and warrants relating to a [~~paternity~~] parentage proceeding
3 under article five of this act or child support proceeding. Nothing in
4 this subdivision shall authorize the court to terminate the respondent's
5 suspension of driving privileges except as provided in this subdivision.

6 § 7. Subdivisions (b) and (c) of section 458-b of the family court
7 act, subdivision (b) as added and subdivision (c) as amended by chapter
8 398 of the laws of 1997, are amended to read as 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 this act or child support
12 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 the requirements of all summonses, subpoenas
25 and warrants relating to a [~~paternity~~] parentage proceeding under arti-
26 cle five of this act or child support proceeding.

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

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

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

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

[~~PATERNITY~~] PARENTAGE PROCEEDINGS

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

§ 511. Jurisdiction. Except as otherwise provided, the family court has exclusive original jurisdiction in proceedings to establish [~~pater-~~
~~nity~~] parentage and, in any such proceedings in which it makes a finding of [~~paternity~~] parentage, to order support and to make orders of custody or of visitation, as set forth in this article. On its own motion, the court may at any time in the proceedings also direct the filing of a neglect petition in accord with the provisions of article ten of this act. In accordance with the provisions of section one hundred eleven-b of the domestic relations law, the surrogate's court has original jurisdiction concurrent with the family court to determine the issues relating to the establishment of [~~paternity~~] parentage.

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

§ 512. Definitions. When used in this article,

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

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

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

(d) [~~The word "father" refers to the father of a child born out of wedlock~~] "Parentage" means a determination that a person is the legal parent of the child.

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

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

(f) "Record" means information inscribed in a tangible medium or stored in an electronic or other medium that is retrievable in perceivable form.

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

(h) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

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

§ 514. Liability [~~of father to mother~~] for expenses of pregnancy, confinement and recovery. The [~~father~~] court may determine which parent is liable for the reasonable expenses of the [~~mother's~~] gestating parent's confinement and recovery and such reasonable expenses in connection with [~~her~~] the pregnancy as determined by the court; provided, however, where the [~~mother's~~] gestating parent's confinement, recovery and expenses in connection with [~~her~~] the pregnancy were paid under the medical assistance program on the [~~mother's~~] gestating parent's behalf, the [~~father~~] non-gestating parent may be liable to the social services district furnishing such medical assistance and to the

1 state department of health for medical assistance so expended. Such
2 expenses, including such expenses paid by the medical assistance program
3 on the [~~mother's~~] gestating parent's behalf, shall be deemed cash
4 medical support and the court shall determine the obligation of the
5 parties to contribute to the cost thereof pursuant to subparagraph five
6 of paragraph (c) of subdivision one of section four hundred thirteen of
7 this act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 (3) an authorized representative of a support enforcement agency or
 10 other governmental agency authorized to maintain a parentage proceeding,
 11 a representative authorized by law to act for an individual who would
 12 otherwise be entitled to maintain a proceeding but who is deceased,
 13 incapacitated, or

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

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

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

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

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

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

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

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

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

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

1 § 524. Issuance of summons. (a) On receiving a petition sufficient in
2 law [~~commencing~~ to commence a [~~paternity~~ parentage proceeding, the
3 court shall cause a summons to be issued, requiring the respondent to
4 show cause why the [~~declaration of paternity,~~ order of [~~filiation~~
5 parentage, order of support and other and further relief [~~prayed for by~~
6 requested in the petition should not be made.

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

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

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

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

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

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

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

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

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

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

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

51 § 536. Counsel fees. Once an order of [~~filiation~~] parentage is made,
52 the court in its discretion may allow counsel fees to the attorney for
53 the prevailing party or parties, if [~~he or she is~~] they are unable to
54 pay such counsel fees. Representation by an attorney pursuant to para-
55 graph (b) of subdivision nine of section one hundred eleven-b of the

1 social services law shall not preclude an award of counsel fees to an
2 applicant which would otherwise be allowed under this section.

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

5 § 541. Order dismissing petition. If the court finds [~~the male party~~
6 ~~is not the father~~] that the alleged parent is not a parent of the child,
7 it shall dismiss the petition. If a neglect petition was filed in the
8 [~~paternity~~] parentage proceeding, the court retains jurisdiction over
9 the neglect petition whether or not it dismisses the [~~paternity~~] parent-
10 age petition.

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

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

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

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

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

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

49 § 543. Transmission of order of [~~filiation~~] parentage. When an order
50 of [~~filiation~~] parentage is made, the clerk of the court shall forthwith
51 transmit to the state commissioner of health on a form prescribed by
52 [~~him~~] the commissioner a written notification as to such order, together
53 with such other facts as may assist in identifying the birth record of
54 the person whose [~~paternity~~] parentage was in issue. When it appears to
55 the clerk that the person whose [~~paternity~~] parentage was established
56 was born in New York city, [~~he~~] the clerk shall forthwith transmit the

1 written notification aforesaid to the commissioner of health of the city
2 of New York instead of to the state commissioner of health.

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

5 § 544. Transmission of abrogation of [~~filiation~~] parentage order. If
6 an order of [~~filiation~~] parentage is abrogated by a later judgment or
7 order of the court that originally made the order or by another court on
8 appeal, that fact shall be immediately communicated in writing by the
9 clerk of the court that originally made the order of [~~filiation~~] parent-
10 age to the state commissioner of health on a form prescribed by [~~him~~]
11 the commissioner. If notice of the order was given to the commissioner
12 of health of New York city, notice of abrogation shall be transmitted to
13 [~~him~~] the commissioner of health of the city of New York.

14 § 29. Section 545 of the family court act, as amended by chapter 849
15 of the laws of 1986, subdivision 1 as amended by chapter 215 of the laws
16 of 2009 and subdivision 2 as added by chapter 892 of the laws of 1986,
17 is amended to read as follows:

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

54 2. The court, in its discretion, taking into consideration the means
55 of the [~~father~~] respondent and [~~his~~] such respondent's ability to pay
56 and the needs of the child, may direct the payment of a reasonable sum

1 or periodic sums to the [~~mother~~] other parent as reimbursement for the
2 needs of the child accruing from the date of the birth of the child to
3 the date of the application for an order of [~~filiation~~] parentage.

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

6 § 548-a. [~~Paternity~~] Parentage or child support proceedings; suspen-
7 sion of driving privileges. (a) If the respondent, after receiving
8 appropriate notice, fails to comply with a summons, subpoena or warrant
9 relating to a [~~paternity~~] parentage or child support proceeding, the
10 court may order the department of motor vehicles to suspend the respon-
11 dent's driving privileges.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

54 (d) The provisions of part four of this article five shall apply to
55 any order of [~~filiation~~] parentage made under this section. The court
56 may in its discretion direct a severance of proceedings upon such order

1 of [~~filiation~~] parentage from the proceeding upon the petition referred
2 to in subdivision (a) of this section.

3 (e) For the purposes of this section the term "petition" shall include
4 a complaint in a civil action, an accusatory instrument under the criminal
5 procedure law, a writ of habeas corpus, a petition for supplemental
6 relief, and any amendment in writing of any of the foregoing.

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

9 SPECIAL PROVISIONS RELATING TO ENFORCEMENT OF SUPPORT
10 AND ESTABLISHMENT OF [~~PATERNITY~~] PARENTAGE

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

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

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

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

34 § 817. Support, [~~paternity~~] parentage and child protection. On its own
35 motion and at any time in proceedings under this article, the court may
36 direct the filing of a child protective petition under article ten of
37 this [~~chapter~~] act, a support petition under article four, or a [~~paternity~~]
38 parentage petition under article five or five-C of this act and
39 consolidate the proceedings.

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

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

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

52 (d) Any records or reports relating to the administration and analysis
53 of a genetic marker or DNA test, including records or reports of the
54 costs of such tests, administered pursuant to sections four hundred
55 eighteen and five hundred thirty-two of the family court act or section
56 one hundred eleven-k of the social services law are admissible in

1 evidence under this rule and are prima facie evidence of the facts
2 contained therein provided they bear a certification or authentication
3 by the head of the hospital, laboratory, department or bureau of a
4 municipal corporation or the state or by an employee delegated for that
5 purpose, or by a qualified physician. If such record or report relating
6 to the administration and analysis of a genetic marker test or DNA test
7 or tests administered pursuant to sections four hundred eighteen and
8 five hundred thirty-two of the family court act or section one hundred
9 eleven-k of the social services law indicates at least a ninety-five
10 percent probability of [~~paternity~~] parentage, the admission of such
11 record or report shall create a rebuttable presumption of [~~paternity~~]
12 parentage, and shall, if un rebutted, establish the [~~paternity~~] parentage
13 of and liability for the support of a child pursuant to articles four
14 and five of the family court act.

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

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

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

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

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

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

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

50 (j) The order shall be effective as of the date of the application
51 therefor, and any retroactive amount of child support due shall be
52 support arrears/past due support and shall, except as provided for here-
53 in, be paid in one lump sum or periodic sums, as the court shall direct,
54 taking into account any amount of temporary support which has been paid.
55 In addition, such retroactive child support shall be enforceable in any
56 manner provided by law including, but not limited to, an execution for

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

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

1 (b) If the respondent, after receiving appropriate notice, fails to
2 comply with a summons, subpoena or warrant relating to a [~~paternity~~]
3 parentage proceeding under article five of the family court act or child
4 support proceeding, the court may order the department of motor vehicles
5 to suspend the respondent's driving privileges. The court may subse-
6 quently order the department of motor vehicles to terminate the suspen-
7 sion of the respondent's driving privileges; however, the court shall
8 order the termination of such suspension when the court is satisfied
9 that the respondent has fully complied with all summonses, subpoenas and
10 warrants relating to a [~~paternity~~] parentage proceeding under article
11 five of the family court act or child support proceeding.

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

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

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

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

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

52 (a) Each probation agency or department and state operated probation
53 services shall provide for intake, investigation, supervision and
54 conciliation services relating to custody, visitation and [~~paternity~~]
55 parentage proceedings and may provide for such services in support
56 proceedings under the provisions of articles four, five, five-A and six

1 of the family court act. For purposes of this subdivision, intake
2 services: (i) relating to support proceedings under article four and
3 relating to [~~paternity~~] parentage proceedings under articles five and
4 five-A of the family court act, shall include referral to the office of
5 temporary and disability assistance's child support enforcement unit in
6 cases where a person is applying for or receiving public assistance or
7 where a person chooses to utilize the services of such unit; (ii) relat-
8 ing to support proceedings under article four of the family court act,
9 shall include services rendered to the payors of support orders seeking
10 to modify such orders.

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

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

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

31 § 52. The section heading and subdivision 1 of section 110-a of the
32 social services law, the section heading as added by chapter 773 of the
33 laws of 1974 and subdivision 1 as amended by chapter 456 of the laws of
34 1978, are amended to read as follows:

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

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

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

§ 54. Subdivisions 1, 2-a and subparagraph 1 of paragraph (d) of subdivision 4-a of section 111-b of the social services law, subdivision 1 as added by chapter 685 of the laws of 1975, subdivision 2-a as amended by chapter 815 of the laws of 1987 and subparagraph 1 of paragraph (d) of subdivision 4-a as added by chapter 398 of the laws of 1997, are amended to read as follows:

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

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

(1) information on administrative actions and administrative and judicial proceedings and orders relating to [~~paternity~~] parentage and support;

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

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

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

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

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

Availability of [~~paternity~~] parentage and support services. 1. The office of temporary and disability assistance and the social services districts, in accordance with the regulations of the office of temporary and disability assistance, shall make services relating to the establishment of [~~paternity~~] parentage and the establishment and enforcement of support obligations available to persons not receiving family assistance upon application by such persons. Such persons must apply by (i) completing and signing a form as prescribed by the office of temporary and disability assistance, or (ii) filing a petition with the court or applying to the court in a proceeding for the establishment of [~~paterni-~~

1 ~~ty~~] parentage and/or establishment and/or enforcement of a support obli-
2 gation, which includes a statement signed by the person requesting
3 services clearly indicating that such person is applying for child
4 support enforcement services pursuant to this title.

5 § 58. Section 111-p of the social services law, as added by chapter
6 398 of the laws of 1997, is amended to read as follows:

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

27 § 59. Section 111-r of the social services law, as added by chapter
28 398 of the laws of 1997, is amended to read as follows:

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

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

54 For the purpose of establishing ~~[paternity]~~ parentage, or establish-
55 ing, modifying or enforcing an order of support, the department or a
56 social services district or its authorized representative, and child

1 support enforcement agencies of other states established pursuant to
2 title IV-D of the social security act, without the necessity of obtain-
3 ing an order from any other judicial or administrative tribunal and
4 subject to safeguards on privacy and information security, shall have
5 access to information contained in the following records:

6 § 61. Subparagraph 1 of paragraph (a) of subdivision 2 of section
7 111-v of the social services law, as added by chapter 398 of the laws of
8 1997, is amended to read as follows:

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

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

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

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

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

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

40 § 64. Paragraph (b) of subdivision 1 and subdivision 2 of section
41 349-b of the social services law, paragraph (b) of subdivision 1 as
42 amended by chapter 398 of the laws of 1997 and subdivision 2 as added by
43 chapter 685 of the laws of 1975, are amended to read as follows:

44 (b) to cooperate with the state and the social services official, in
45 accordance with standards established by regulations of the department
46 consistent with federal law, in establishing the [~~paternity~~] parentage
47 of a child born [~~out-of-wedlock~~] out of wedlock for whom assistance
48 under this title is being applied for or received, in their efforts to
49 locate any absent parent and in obtaining support payments or any other
50 payments or property due such person and due each child for whom assist-
51 ance under this title is being applied for or received, except that an
52 applicant or recipient shall not be required to cooperate in such
53 efforts in cases in which the social services official has determined,
54 in accordance with criteria, including the best interests of the child,
55 as established by regulations of the department consistent with federal
56 law, that such applicant or recipient has good cause to refuse to coop-

1 erate. Each social service district shall inform applicants for and
2 recipients of family assistance required to cooperate with the state and
3 local social services officials pursuant to the provisions of this para-
4 graph, that where a proceeding to establish [~~paternity~~] parentage has
5 been filed, and the allegation of [~~paternity~~] parentage has been denied
6 by the respondent, that there shall be a stay of all [~~paternity~~] parent-
7 age proceedings and related local social services proceedings until
8 sixty days after the birth of the child. Such applicants and recipients
9 shall also be informed that public assistance and care shall not be
10 denied during the stay on the basis of refusal to cooperate pursuant to
11 the provisions of this paragraph.

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

20 § 65. Paragraphs (a), (d), (e) and (f) of subdivision 1 of section
21 352-a of the social services law, paragraphs (a), (d) and (e) as added
22 by chapter 187 of the laws of 1969 and paragraph (f) as amended by chap-
23 ter 685 of the laws of 1975, are amended to read as follows:

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

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

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

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

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

49 (3) cooperates with the appropriate social services official or the
50 department in establishing [~~paternity~~] parentage or in establishing,
51 modifying, or enforcing a support order with respect to [~~his or her~~] the
52 child; provided, however, that nothing herein contained shall be
53 construed to require a payment under this title for care or services,
54 the cost of which may be met in whole or in part by a third party;
55 notwithstanding the foregoing, a social services official shall not
56 require such cooperation if the social services official or the depart-

1 ment determines that such actions would be detrimental to the best
2 interest of the child, applicant, or recipient, or with respect to preg-
3 nant women during pregnancy and during the one year period beginning on
4 the last day of pregnancy, in accordance with procedures and criteria
5 established by regulations of the department consistent with federal
6 law; and

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

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

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

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

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

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

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

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

51 4-e. Suspension and disqualification for failure to make child support
52 payments or failure to comply with a summons, subpoena or warrant relat-
53 ing to a [~~paternity~~] parentage proceeding under article five of the
54 family court act or child support proceeding.

55 § 70. Paragraphs (a) and (d) of subdivision 4 of section 119 of the
56 alcoholic beverage control law, paragraph (a) as amended and paragraph

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

3 (a) The provisions of this subdivision shall apply in all cases of
4 licensee or permittee failure after receiving appropriate notice, to
5 comply with a summons, subpoena or warrant relating to a [~~paternity~~
6 parentage proceeding under article five of the family court act or child
7 support proceeding and arrears in payment of child support or combined
8 child and spousal support referred to the authority by a court pursuant
9 to the requirements of section two hundred forty-four-c of the domestic
10 relations law or pursuant to section four hundred fifty-eight-b or five
11 hundred forty-eight-b of the family court act.

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

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

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

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

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

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

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

45 (b) the amendments to subdivision 4-e of section 510 of the vehicle
46 and traffic law made by section sixty-nine of this act shall not affect
47 the repeal of such subdivision and shall be deemed repealed therewith.