

HOUSE BILL No. 2457

By Committee on Judiciary

1-21

1 AN ACT concerning family law; relating to the parentage act; amendment
2 of birth certificate; amending K.S.A. 2019 Supp. 23-2223 and repealing
3 the existing section.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2019 Supp. 23-2223 is hereby amended to read as
7 follows: 23-2223. (a) Whenever the parents of a minor child desire that the
8 child's birth certificate be amended to add the name of a parent, correct the
9 name of either parent or of the child or change the child's last name to that
10 of either parent, both parents shall appear before a judge of the district
11 court or a hearing officer authorized by rule of the supreme court to accept
12 voluntary acknowledgments of parentage. The parents shall execute
13 affidavits in the presence of the judge or hearing officer, attesting to the
14 fact that each is a parent of the child and that they desire to amend the
15 birth registration of the child. If both parents are not residents of this state
16 and are outside this state, both parents shall forward to such judge or
17 hearing officer affidavits, sworn to before a judicial officer of the state in
18 which they reside and attesting to the fact that each is a parent of the child
19 and that they desire to amend the birth registration of the child.

20 (b) The judge or hearing officer shall require the parents to exhibit or
21 to forward to the judge or hearing officer evidence of the birth of the child.
22 If the judge or hearing officer finds that the birth certificate of the child
23 fails to name either the father or mother of the child, that the name of
24 either parent or the child is incorrect or that the child's name should be
25 changed to that of either parent, the judge or hearing officer shall forward
26 both parents' affidavits to the state registrar of vital statistics, together with
27 a certified order to prepare a new birth registration in the manner provided
28 by K.S.A. 2019 Supp. 23-2222, and amendments thereto, ~~and to seal the~~.
29 *The court case, including the parents' affidavits, court order and original*
30 *birth certificate and allow inspection of them only as provided therein,*
31 *shall be sealed and shall be released only upon order of the court for good*
32 *cause shown.*

33 ~~(c) The judge or hearing officer shall return all evidence and other~~
34 ~~exhibits to the parents of the child. No docket fee or additional charge~~
35 ~~shall be charged for the performance of this service. No case file will be~~
36 ~~opened in the district court, nor will any record be made by the court of the~~

1 ~~performance of this act~~ *collected in the matter. Certified copies of*
2 *documents that are issued pursuant to a court order shall be subject to the*
3 *fees required by K.S.A. 65-2418, and amendments thereto.*

4 Sec. 2. K.S.A. 2019 Supp. 23-2223 is hereby repealed.

5 Sec. 3. This act shall take effect and be in force from and after its
6 publication in the statute book.