

STATE LAWS REGARDING PATERNITY REGISTRIES*

State	Cite	Time Limit for Registering or Filing	Consequence for Failure to Register or File	Paternity Action Requirement	Impossibility Exception	Agency Responsible for Registry
1. Alabama	Ala. Code § 26-10C-1	Within 30 days of or before birth (§ 26-10C-1(i))	Irrevocable implied consent to adoption (§ 26-10C-1(i))	No	No	Department of Human Services
2. Arizona	Ariz. Rev. Stat. § 8-106.01	Within 30 days of or before birth (§ 8-106.01(B))	No notice; consent to adoption not required (§ 8-106.01(E))	Yes (§ 8-106.01(G))	Yes, if (1) impossible to register within time specified; and (2) notice of claim of paternity filed within 30 days after possible to file (§ 8-106.01(E))	Department of Health Services - Vital Statistics
3. Arkansas	Ark. Code Ann. § 20-18-702	Before birth or adoption petition (§ 20-18-702(c))	No notice (§ 9-9-224)	No	No	Department of Health and Human Services
4. Colorado	Colo. Rev. Stat. § 19-5-105	Does not state	No notice	Yes (§ 19-5-105(5)) failure to file action within 30 days of notice likely will result in termination of parental rights	No	Court or Registrar of Vital Statistics
5. Connecticut	Conn. Gen. Stat. § 45A-716(B) Putative father who has acknowledged paternity in writing must be given notice	Does not state	No longer an interested party in adoption (§ 46b-172a(h))	Yes, within 60 days after notice must file a claim for paternity (§ 46b-172a(a))	No, but exception if father has shown a reasonable degree of interest, concern, or responsibility for the child's welfare (§ 46b-172a(h))	Court of Probate
6. Florida	Fla. Stat. Ch. 88.2011 Jurisdiction extended to an individual asserting parentage in a tribunal or in a putative father registry maintained in this state					Department of Health - Office of Vital Statistics

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7. Georgia	Ga. Code Ann. § 19-11-9	No later than period beginning two years immediately before the child's birth (§ 19-8-12(b)(3))	Still entitled to notice if identity is known to the petitioner, etc., or if biological father has performed certain acts (§ 19-8-12)	Yes, must file within 30 days a petition to legitimate child (§ 19-8-12(f)(1)-(3))	No	Department of Human Services
8. Hawaii	Haw. Rev. Stat. § 578-2(d)(5) if file in writing, then treated as presumed father and entitled to notice	May bring action within 30 days of child's birth or before mother gives consent to adoption (§ 584-6(a))	Consent not required (Rule Haw. St. Fam. Ct. 104(D)(5))	No	No	Department of Health
9. Idaho	Idaho Code § 16-1513	Before birth, placement for adoption in home of prospective parents, or termination of parental rights of birth mother, whichever occurs first (§ 16-1513(2))	Barred from bringing or maintaining any action to establish paternity (§ 16-1513(4))	Yes (§ 16-1513(4))	No	Department of Health - Vital Statistics Unit
10. Illinois	750 Ill. Comp. Stat. 50/12.1	Before or within 30 days of birth (750 ILCS 50/12.1(b))	No notice; prima facie evidence of sufficient grounds for termination of parental rights (50/12.1(h))	Yes, 30 days after receipt of notice must file a declaration of paternity or request to be notified of any further proceedings (50/12a(2))	Yes, if (1) impossible to register within time; (2) failure not his fault; and (3) he registered within 10 days after possible for him to file; lack of knowledge of pregnancy or birth is no excuse (50/12.1(g)(1)-(3))	Department of Children and Family Services
11. Indiana	Ind. Code Ann. § 31-19-5-12	(1) Before the child's birth; (2) within 30 days of birth; or (3) before the date of filing a petition for the child's adoption, whichever occurs later (§ 31-19-5-12(a))	No notice; irrevocable implied consent to adoption (§ 31-19-5-18)	Yes, within 30 days of notice (§ 31-19-9-12(1)(B))	No	Department of Health
12. Iowa	Iowa Code § 144.12A	Before birth, but not later than filing of petition for termination of rights (§ 144.12A(2)(a))	Entitled to notice as "necessary party" under § 600A.6(1) if register; unclear if no filing	No	No	State Registrar of Vital Statistics

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13. Louisiana	La. Rev. Stat. Ann. § 9:400	Before or after birth (§ 9:400(2))	Filing creates a rebuttable presumption of the father, but filing does not require the consent of the putative father for adoption (§ 400.1)	No	No	Department of Health and Hospitals
14. Massachusetts	Mass. Gen. Laws Ch. 210, § 4A	Before termination of mother's parental rights or before surrender of child for adoption (Ch. 210 § 4A)	No notice (implicit in Ch. 210 § 4A)	Yes, persons claiming paternity may within 30 days from the date of the mailing of the notice file a petition for adoption or custody (Ch. 210 § 4A)	No	Department of Human Services
15. Michigan	Mich. Comp. Laws § 710.33	Before birth (§ 710.33(1))	Does not address	No	No	Court of any county
16. Minnesota	Minn. Stat. § 259.52	Before or within 30 days of birth (§ 259.52(7))	(1) Cannot assert interest during pending adoption; (2) no notice; and (3) considered to have abandoned child (§ 259.52(8)). Prima facie evidence of sufficient grounds for termination of parental rights.	Yes (§ 259.52(10)) within 30 days of notice must file a completed intent to claim parental rights form stating that he intends to initiate a paternity action within 30 days of notice	Yes (§ 259.52(8)) if clear and convincing evidence (1) impossible to register in time; (2) failure was not his fault; and (3) registered within 10 days after it became possible to file (§ 259.52(10)) - With regard to paternity action: not bar to receiving notice if good cause shown. Then father must be allowed more time to initiate paternity action.	Commissioner of Health
17. Missouri	Mo. Rev. Stat. § 192.016	Before or within 15 days of birth (§ 453.030(3))	Implied consent to adoption (§ 453.030(3))	Yes (§ 453.030(3)(2)(c))	No	Department of Health and Senior Services
18. Montana	Mont. Code Ann. § 42-2-202	Before birth or within 72 hours of birth; knowledge of pregnancy not required (§ 42-2-206(1)-(2))	No notice (§ 42-2-203(204)(205))	No, but must appear at hearing held on the petition to terminate parental rights (§ 42-2-208)	Yes, with four-part test, including concealment of location by the mother and reasonable efforts by the father (§ 42-2-230(4))	Department of Public Health and Human Services - Vital Statistics

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19. Nebraska	Neb. Rev. Stat. § 43-104.01	Within 5 business days after the birth or within five days of notice contemplated in § 43-104.12 or within 5 days after the last date of any published notice, whichever is later (§ 43-104.02)	No notice; implied consent; termination of parental rights (§ 43-104.04 & § 43-104.05)	Yes (§ 43-104.05) within 30 days of filing	No	Department of Health and Human Services
20. New Hampshire	N.H. Rev. Stat. Ann. § 170-B:5-a, I(c)	Before birth but must be before mother's rights are voluntarily relinquished, the mother consents to adoption, or the mother's rights are involuntarily terminated (§ 170-B:5-a, I(c))	No notice; abandonment of child; bars paternity action (§ 170-B:5-a, I(c))	Yes, within 30 days of notice must request a hearing at which he will have the burden of proving that he is the father of the child (§ 170-B:5-a, II)	No	Office of Child Support Services
21. New Mexico	N.M. Stat. Ann. § 32A-5-20	Within 10 days of birth (§ 32A-5-19(E))	Implied consent; relinquishment not required (§ 32A-5-19)	No	No	Department of Health
22. New York	N.Y. Soc. Serv. § 372-C	Does not specifically state	No notice (N.Y. Dom. Rel. 111-A(2)(B))	No	No	Department of Social Services
23. Ohio	Ohio Rev. Code Ann. § 3107.062	Within 30 days after birth (§ 3107.07(B)(1))	Implied consent (§ 3107.07(B)(1))	No	No	Department of Job and Family Services
24. Oklahoma	Okla. Stat. Tit. 10, § 7506-1.1	No specific time given	No notice	No (§ 7503-3.1(B)(2)(a))	Yes, if by clear and convincing evidence can show failure to appear due to unavoidable circumstances; must file application within 10 days of failure to appear (§ 7505-2.1(G))	Department of Human Services
25. Oregon	Or. Rev. Stat. § 109.096	Must be on file at the time of placement of child in physical custody for purpose of adoption (§ 109.096(3))	Barred from contesting adoption (§ 109.096(3) & § 109.098(2)-(3))	No	Yes, if within 1 year after entry of final decree or order proves in court fraud by petitioner (§ 109.096(8))	Department of Human Services

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26. Tennessee	Tenn. Code Ann. § 36-2-318	Before or within 30 days after birth (§ 36-2-318(e)(3))	Normal requirements to terminate parental rights must be met (§ 36-1-117), even if not registered (§ 36-2-318(d)(2))	Yes, within 30 days of notice must file suit or intervene in adoption, otherwise sufficient cause to terminate parental rights (§ 36-2-318(j))	No	Department of Children's Services
27. Texas	Tex. Fam. Code § 160.256	Before birth or within 30 days of birth (§ 160.256(c))	Cannot assert interest in child other than by filing paternity suit before termination of his parental rights (§ 160.258)		Yes, if father's identity and location are known, even if failed to register (§ 161.002(b)(2))	Bureau of Vital Statistics
28. Utah	Utah Code Ann. § 78-30-4.14	Before mother consents to adoption or relinquishes child to placement agency (§ 78-30-4.14(1)(e))	Waiver and surrender of any right in relation to the child (§ 78-30-4.14(5))	Yes, if child is under the age of 6 months (§ 78-30-4.14(2)(b)(i))	No	State Registrar of Vital Statistics
29. Vermont	Vt. Stat. Ann. Tit. 15A, § 1-110	Any time (§ 1-110(a))	None	No	N/A	Probate Court
30. Wisconsin	Wis. Stat. § 48.025	Any time before termination of the father's rights (§ 48.025(2))	If paternity has not been acknowledged court may or may not order notice by publication (§ 48.42(4)(b)(2)-(4))	No	No	Department of Health and Family Services
31. Wyoming	Wyo. Stat. Ann. § 1-22-117	Before or after birth of child out of wedlock (§ 1-22-117(a)(ii)) or if father has acknowledged paternity prior to an interlocutory hearing (§ 1-22-108(d))	If father unknown, court may approve adoption without his consent (§ 1-22-110(a))	Yes, within 30 days of notice must advise of his interest in or responsibility for the child or his declaration of paternity (§ 1-22-110(a)(vi))	No, unless he is identified by the mother or agency or has lived with or married the mother after the birth of the child before adoption petition and if before interlocutory hearing he has acknowledged the child as his own (§ 1-22-108(d))	Department of Family Services

*Based, in part, from information contained in "Toward a National Putative Father Registry Database," 25 Harvard Journal of Law and Public Policy, Summer 2002.