



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 350

PRINTER'S NO. 3322

PRIME SPONSOR: Sanchez

COST / (SAVINGS)

FUND	FY 2023/24	FY 2024/25
General Fund	\$0	See Fiscal Impact

SUMMARY:

Establishes the Uniform Parentage Act.

ANALYSIS:

House Bill 350 amends Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes to establish the Uniform Parentage Act.

Chapter 92 (Parent-Child Relationship)

Chapter 92 of the legislation provides for the establishment of a parent-child relationship and clarifies that this relationship extends equally to every child, regardless of the marital status or gender of the parent or the circumstances of the child's birth. The chapter also provides the criteria for presumption of parentage.

Chapter 93 (Voluntary Acknowledge of Parentage)

Chapter 93 provides for the acknowledgement of parentage and allows a presumed parent or alleged genetic parent to sign a denial of parentage. The legislation establishes the rules for either the acknowledgement or denial of parentage as well as the procedure for rescinding an acknowledgement or denial.

The chapter also provides that the Department of Human Services shall accept and create forms, keep records, and promulgate regulations as necessary to implement this chapter.

Chapter 95 (Genetic Testing)

Chapter 95 governs the genetic testing of an individual in a proceeding to adjudicate parentage. The legislation grants the court the authority to order genetic testing under certain conditions, clarifies the requirements for genetic testing, and the requirements for the report on the genetic testing. Section 9507 provides that the costs of the genetic testing must be made by a child-support agency in a proceeding in which the child-support agency provides the services, by the individual who made the request for the genetic testing, as agreed by the parties, or as ordered by the court.

Chapter 96 (Proceeding to Adjudicate Parentage)

Chapter 96 provides for proceedings to adjudicate the parentage of a child and establishes the venue for the proceeding. The court may adjudicate an individual's parentage of a child only if the court has personal jurisdiction over the individual.

Subchapter B provides special rules for the proceeding to adjudicate parentage for the following cases:

- Child with alleged genetic parent
- Child with presumed parent
- Claim of de facto parentage of child

- Child with acknowledged parent
- Child with adjudicated parent
- Child of assisted reproduction
- Competing claims of parentage
- Precluding the establishment of parentage by perpetrator of sexual assault

Subchapter C allows the court to issue a temporary order for child support.

The court may assess filing fees, reasonable attorney fees, fees for genetic testing, other costs, and necessary travel, and other reasonable expenses incurred in a proceeding under this chapter. Attorney fees may be paid directly to the attorney. The court may not assess fees, costs, or expenses in a proceeding under this chapter against a child-support agency of this commonwealth or another state, except as provided by the law of this commonwealth.

Chapter 97 (Assisted Reproduction)

Chapter 97 provides provisions for assisted reproduction. The chapter does not apply to the birth of a child conceived by sexual intercourse or assisted reproduction under a surrogacy agreement. This chapter establishes that a donor is not a parent of a child conceived by assisted reproduction. The chapter outlines consent requirements, limitations on spousal disputes of parentage, the effect of certain legal proceedings regarding marriage, the withdrawal of consent, and the parental status of deceased individuals.

Chapter 98 (Surrogacy Agreement)

Chapter 98 establishes the general requirements for surrogacy agreements as well as the special rules for gestational and genetic surrogacy agreements. The chapter clarifies eligibility to enter into surrogacy agreements, requirements of the agreements, the effect of a subsequent change of marital status, and the inspection of documents and records.

Chapter 99 (Information about Donors)

Chapter 99, which only applies to gametes collected on or after the effective date of this section, requires a gamete bank or fertility clinic authorized by law to operate in this commonwealth to collect from a donor the donor's identifying information and medication history at the time of the donation. It is also required to collect from any other gamete bank or fertility clinic from which it receives gametes of a donor identifying information and to provide for identity disclosure. The chapter further provides for declarations regarding identity disclosure, the disclosure of identifying information and medical history, and recordkeeping requirements.

This legislation would take effect one year upon enactment.

FISCAL IMPACT:

Enactment of this legislation will have no impact on commonwealth funds. The Department of Human Services should be able to create and store the information required by this legislation and promulgate regulations as necessary to implement this chapter within their current staffing levels.

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House Appropriations Committee (D)

DATE: June 24, 2024

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.