

One Hundred Sixth Legislature - Second Session - 2020

Introducer's Statement of Intent

LB964

Chairperson: Senator Steve Lathrop

Committee: Judiciary

Date of Hearing: January 30, 2020

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Nebraska birth certificates list the person whose body from whom a child is born as the mother on the birth certificate. Current statutes allow a woman giving birth to agree to the paternity of a child and naming the child's father on the birth certificate by agreement with that individual. Thus, in a natural birth, a father can admit paternity and be placed on a birth certificate simply by executing an Acknowledge of Paternity prepared by the Nebraska Department of Health and Human Services Vital Records. The Acknowledgement of Paternity can be executed at the hospital, prior to the birth.

Where a birth occurs using a gestational carrier, there is no such option for the genetic mother, absent an adoption decree, to be named on a birth certificate. The only option a genetic mother has to have her name placed on the birth certificate, is to undergo the rigorous and unnecessarily expensive adoption process as a "step parent". LB 964 provides for a genetic mother to be placed on her child's birth certificate by executing a similar form (likely to be called an Acknowledgement of Maternity) at the time of the birth of her child.

Principal Introducer: _____

Senator Mike McDonnell