

HOUSE BILL NO. 4053

February 01, 2023, Introduced by Rep. Lightner and referred to the Committee on Families, Children, and Seniors.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 2824 (MCL 333.2824), as amended by 1996 PA 307.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2824. (1) The name of the husband at the time of
2 conception or, if none, the husband at birth ~~shall~~**may** be
3 registered as the father of the child. The surname of the child
4 ~~shall~~**must** be registered as designated by the child's parents. **The**
5 **mother of a child is not required under this section to register a**

1 **father on the certificate of birth.**

2 (2) If the child's mother was not married at the time of
3 conception or birth, the name of the father ~~shall~~**must** not be
4 entered on the certificate of birth without the written consent of
5 the mother and without the completion, and filing with the state
6 registrar, of an acknowledgment of parentage by the mother and the
7 individual to be named as the father. The acknowledgment of
8 parentage ~~shall~~**must** be completed in the manner provided in the
9 acknowledgment of parentage act, **1996 PA 305, MCL 722.1001 to**
10 **722.1013**. For a certificate of birth completed under this
11 subsection and ~~upon~~**on** the written request of both parents, the
12 surname of the child ~~shall~~**must** be designated by the child's
13 parents.

14 (3) If the name of the child's father ~~cannot be shown~~**is not**
15 **designated** under subsection (1) or (2), the child ~~shall~~**must** be
16 given the surname designated by the mother.

17 (4) If the paternity of a child is determined by a court of
18 competent jurisdiction, the name of the father ~~shall~~**must** be
19 entered on the certificate of birth as found and ordered by the
20 court. The surname of the child ~~shall~~**must** be entered on the
21 certificate of birth as designated by the child's mother.

22 (5) If the child's father is not named on the birth
23 registration, no other information about the father ~~shall~~**may** be
24 entered on the registration.

25 (6) A child conceived by a married woman with consent of her
26 husband following the utilization of assisted reproductive
27 technology is considered to be the legitimate child of the husband
28 and wife.

29 (7) After May 30, 1979, a birth certificate ~~shall~~**must** not

1 contain a reference to the legitimacy or illegitimacy of a child.