

HOUSE REPUBLICAN STAFF ANALYSIS

Bill: House File 216 (Formerly HSB 5)	House Committee: PASSED on February 2 (21-0)
Committee: Judiciary	House Floor: PASSED on February 15 (99-0)
Floor Manager: Rep. Wheeler	Senate Floor: PASSED on May 2 (48-0)
Date: May 4, 2023	Governor:
Staff: Amanda Wille (1-5230)	

Paternity- Juvenile Court

- Allows a juvenile court to disestablish paternity. This prevents cases from jumping between juvenile and district court in a CINA case or termination of parental rights case.

Section by Section Analysis

Section 1 – Juvenile Justice- Definitions (232.2)

Allows paternity to be established by one or more methods under code. A person is not considered a father if the paternity has been disproven.

Section 2 – Juvenile Justice Authority Relating to Action to Overcome Paternity in a Child in Need of Assistance or Termination of Parental Rights Proceeding (232.3A)

In a CINA case the court can order a paternity test and may enter an order overcoming paternity if it is determined paternity is not established. Allows the juvenile court to establish or disestablish paternity.

Section 3- Section 13

Conforming changes that allow the juvenile court to overcome paternity in a CINA case or a termination of parental rights proceeding.

Previously a juvenile court could not disestablish paternity and the case would have to bounce between juvenile and district court. HF 216 removes this hurdle.

Amendment Analysis