

HOUSE No. 1363

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to the rights of nonbiological parents ordered to pay child support..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 9 of chapter 209C of the General Laws, as appearing in the 2006
2 Official Edition, is hereby amended by inserting after subsection (f) the following subsection:—
3 (g) Notwithstanding the provisions of any general or special law, rule or regulation to the
4 contrary, the court shall not find any person chargeable with the support of a child if such person
5 demonstrates by a preponderance of competent scientific evidence that he is not the biological
6 parent of such child, regardless of whether and when such person has previously made any
7 voluntary acknowledgment of parentage, unless, during the pendency of any action under this
8 chapter, such a person knowingly consents in writing after a competent scientific determination
9 of parentage has been made.

10 SECTION 2. Section 11 of said chapter 209C, as so appearing, is hereby amended by
11 inserting after subsection (d) the following subsection:— (e) Notwithstanding the provisions of
12 any general or special law, rule or regulation to the contrary, the obligation of any person who
13 has been paying, by consent, voluntary acknowledgement of parentage, court order, or otherwise,
14 support for any child shall immediately terminate if such person demonstrates by a

15 preponderance of competent scientific evidence that he is not the biological parent of such a
16 child. Such person shall not, however, be entitled to any reimbursement for any such support
17 payments already made.

18 SECTION 3. This act shall take effect upon passage.