CHAPTER 592

AN ACT SB 163

Relating to parentage; creating new provisions; amending ORS 3.260, 18.052, 21.155, 25.080, 25.501, 25.503, 25.505, 25.507, 25.511, 25.550, 25.552, 25.554, 25.793, 37.220, 107.105, 107.106, 107.137, 107.179, 107.710, 109.012, 109.065, 109.070, 109.072, 109.073, 109.092, 109.094, 109.096, 109.098, 109.100, 109.103, 109.112, 109.116, 109.124, 109.125, 109.135, 109.145, 109.155, 109.165, 109.175, 109.225, 109.230, 109.231, 109.259, 109.260, 109.276, 109.287, 109.289, 109.326, 109.342, 109.410, 109.425, 109.430, 109.455, 109.460, 109.470, 109.475, 109.490, 109.500, 109.502, 109.504, 111.005, 112.077, 112.105, 163.537, 163.555, 412.024, 412.072, 418.044, 418.480, 419A.004, 419B.395, 419B.510, 419B.603, 419B.609, 419B.806, 419B.819, 419B.839, 419B.875, 432.005, 432.088, 432.093, 432.098, 432.148, 432.245, 432.253, 432.295 and 677.990; repealing ORS 109.239, 109.243, 109.247, 109.250, 109.251, 109.252, 109.254, 109.256, 109.258, 109.262, 109.264, 677.355, 677.360, 677.365 and 677.370; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

PARENTAGE ESTABLISHMENT, PRESUMPTIONS, VOLUNTARY ACKNOWLEDGMENT

SECTION 1. Sections 2, 39 to 51, 55 to 62, 63 to 74, 84 to 88 and 102 of this 2025 Act and ORS 109.259 are added to and made a part of ORS chapter 109.

SECTION 2. Definitions. As used in ORS chapter 109:

(1) "Acknowledged parent" means an individual who has signed an effective acknowledgment of parentage, as described in ORS 109.070.

(2) "Adjudicated parent" means an individual who has been adjudicated to be a parent of a child by a court with jurisdiction.

(3)(a) "Alleged genetic parent" means an individual who is alleged to be, or alleges that the individual is, a genetic parent or possible genetic parent of a child whose parentage has not been adjudicated.

(b) "Alleged genetic parent" does not include a presumed parent, an individual whose parentage rights have been terminated or declared not to exist, an individual whose nonparentage of the child has been adjudicated or a donor.

(4) "Assisted reproduction" means:

(a) Intrauterine or intracervical insemination;

(b) Donation of gametes;

(c) Donation of embryos;

(d) In-vitro fertilization and transfer of embryos;

(e) Intracytoplasmic sperm injection; or

(f) Any other method of causing pregnancy other than sexual intercourse.

(5)(a) "Determination of parentage" means the establishment of a parent-child relationship by a judicial or administrative proceeding or signing of a valid acknowledgment of parentage under ORS 109.070.

(b) "Determination of parentage" does not include an order or judgment entered under ORS 109.119.

(6)(a) "Donor" means an individual who provides gametes or embryos intended for use in assisted reproduction, whether or not for consideration.

(b) "Donor" does not include:

(A) Except as provided in section 70 of this 2025 Act, the parent who gives birth to a child conceived by assisted reproduction, a gestational surrogate or a genetic surrogate; or

(B) An intended parent of a child conceived by assisted reproduction, including under a surrogacy agreement.

(7) "Gamete" means sperm, egg or any part of a sperm or egg.

(8) "Genetic testing" means an analysis of genetic markers to identify or exclude a genetic relationship.

(9) "Gestational surrogate" means an individual who is not an intended parent and who agrees to become pregnant through assisted reproduction using embryos that are not the individual's own, under a gestational surrogacy agreement.

(10)(a) "Intended parent" means an individual, married or unmarried, who manifests an intent to be legally bound as a parent of a child conceived by assisted reproduction, including under a gestational surrogacy agreement.

(b) "Intended parent" does not include the parent who gives birth to the child conceived by assisted reproduction.

(11) "Presumed parent" means an individual who is presumed to be a parent of a child under section 6 of this 2025 Act.

(12) "Surrogacy agreement" means an agreement between one or more intended parents and an individual who is not an intended parent in which the individual agrees to become pregnant through assisted reproduction and which provides that each intended parent is a parent of a child conceived under the agreement. Unless otherwise specified, the term refers to both a gestational surrogacy agreement and a genetic surrogacy agreement.

(13) "Transfer" means a procedure for assisted reproduction by which an embryo or sperm is placed in the body of the person who will give birth to the child.

SECTION 3. ORS 109.065 is amended to read:

109.065. [*(1)*] Parentage may be established between a person and a child by:

[*(a)*] **(1)** The person having given birth to the child**, unless the child was conceived by assisted reproduction under a gestational surrogacy agreement**;

[*(b)*] **(2)** An unrebutted presumption of parentage under [*ORS 109.070*] **section 6 of this 2025 Act**;

[*(c)*] **(3)** An adjudication of the person's [*maternity or paternity*] **parentage by judicial proceeding**;

[*(d)*] **(4)** Adoption of the child by the person;

[*(e)*] **(5)** An effective acknowledgment of [*paternity by the man*] **parentage** under ORS 109.070 or pursuant to the laws of another state, unless the acknowledgment has been rescinded or successfully challenged;

[*(f)*] **(6)** [*Establishment of paternity*] **An adjudication of parentage** by an administrative order issued pursuant to ORS 25.501 to 25.556;

[*(g) Filiation Proceedings; or*]

(7) Establishment of parentage under sections 55 to 62 of this 2025 Act of a child conceived by assisted reproduction other than under a surrogacy agreement;

(8) Establishment of parentage under sections 63 to 74 of this 2025 Act of a child conceived by assisted reproduction under a gestational surrogacy agreement; or

[*(h)*] **(9)** Parentage being established or declared by another provision of law.

[*(2) A person is the mother of a child to whom the person gives birth.*]

SECTION 4. Section 5 and 6 of this 2025 Act and ORS 109.065 and 109.072 are added to and made a part of ORS 109.060 to 109.090.

SECTION 5. UPA 618. Child as a party; representation. (1) In a proceeding to adjudicate the parentage of a child, other than a proceeding under ORS chapter 419B, the child is a permissive party to the proceeding if the child has not attained 18 years of age.

(2) The court shall appoint an attorney to represent a child who has not attained 18 years of age in a proceeding described in subsection (1) of this section if requested by the child or, if the court finds that the interests of the child are not adequately represented, on the court's own motion or on the motion of a party. A reasonable fee for an attorney so appointed under this paragraph may be charged against one or more of the parties or as a cost in the proceedings, but may not be charged against funds appropriated for public defense services.

SECTION 6. UPA 204/608. Presumption of parentage. (1) An individual is rebuttably presumed to be the parent of a child if, unless the child was conceived by assisted reproduction under a gestational surrogacy agreement:

(a) The individual is married to the parent who gave birth to the child at the time of the child's birth, without a judgment of separation, regardless of whether the marriage is void; or

(b) The individual was married to the parent who gave birth to the child and the child is born within 300 days after the marriage is terminated by death, annulment or dissolution or after entry of a judgment of separation.

(2) The parentage of a child that is established under subsection (1)(a) of this section may be challenged by the parent who gave birth to the child or by the child's presumed parent. The parentage may not be challenged by any other person as long as the parent who gave birth to the child and the child's presumed parent are cohabiting, unless the parent who gave birth to the child and the child's presumed parent both consent to the challenge.

(3)(a) An action or proceeding to challenge parentage of a child established under this section must be initiated before the child attains 18 years of age unless the child initiates the action or proceeding.

(b) If the court finds that it is just and equitable, giving consideration to the interests of the parties and the child, the court shall admit evidence offered to rebut the presumption.

(c) A presumption of parentage cannot be rebutted after the child attains four years of age unless the court determines:

(A) The presumed parent is not a genetic parent, never resided with the child and never held the child out as the presumed parent's child;

(B) The child has more than one presumed parent; or

(C) The presumption arose due to fraud, duress or a material mistake of fact.

(d) The four-year statute of limitation under paragraph (c) of this subsection does not apply if the presumed parent's parentage of the child is being challenged:

(A) Under section 28 of this 2025 Act based on the presumed parent having committed an act constituting rape, as defined in section 28 of this 2025 Act, that resulted in the child's conception; or

(B) Under section 59 (2) of this 2025 Act, if the child was conceived by assisted reproduction, other than under a surrogacy agreement.

(4) Except as provided in section 28 or 59 of this 2025 Act, if the parent who gave birth to a child is the only other person with a claim to parentage of the child in a proceeding to adjudicate a presumed parent's parentage of the child, the court shall:

(a) Adjudicate the presumed parent to be a parent of the child if:

(A) No party to the proceeding challenges the presumed parent's parentage of the child; or

(B) The presumed parent is identified under section 45 of this 2025 Act as a genetic parent

of the child and that identification is not successfully challenged under section 45 of this 2025 Act; or

(b) Adjudicate the parentage of the child in the best interests of the child based on the factors under section 54 of this 2025 Act if:

(A) The presumed parent is not identified under section 45 of this 2025 Act as a genetic parent of the child and the presumed parent or the parent who gave birth to the child challenges the presumed parent's parentage of the child; or

(B) If another person, other than the presumed parent or the parent who gave birth to the child, asserts a claim to parentage of the child.

(5) The court may enter a judgment under this section before the child's birth but shall stay enforcement of the judgment until the birth of the child and shall order one or more of the parties to notify the court of the child's birth.

SECTION 7. Section 6 of this 2025 Act is amended to read:

Sec. 6. (1) An individual is rebuttably presumed to be the parent of a child if, unless the child was conceived by assisted reproduction under a gestational surrogacy agreement:

(a) The individual is married to the parent who gave birth to the child at the time of the child's birth, without a judgment of separation, regardless of whether the marriage is void; [*or*]

(b) The individual was married to the parent who gave birth to the child and the child is born within 300 days after the marriage is terminated by death, annulment or dissolution or after entry of a judgment of separation[.]**; or**

(c) The individual is not married to the parent who gave birth to the child at the time of the child's birth but the individual and the parent who gave birth intend to be married and the individual agrees to be and is named as a parent of the child on the child's record of live birth.

(2) The parentage of a child that is established under subsection (1)(a) of this section may be challenged by the parent who gave birth to the child or by the child's presumed parent. The parentage may not be challenged by any other person as long as the parent who gave birth to the child and the child's presumed parent are cohabiting, unless the parent who gave birth to the child and the child's presumed parent both consent to the challenge.

(3)(a) An action or proceeding to challenge parentage of a child established under this section must be initiated before the child attains 18 years of age unless the child initiates the action or proceeding.

(b) If the court finds that it is just and equitable, giving consideration to the interests of the parties and the child, the court shall admit evidence offered to rebut the presumption.

(c) A presumption of parentage cannot be rebutted after the child attains four years of age unless the court determines:

(A) The presumed parent is not a genetic parent, never resided with the child and never held the child out as the presumed parent's child;

(B) The child has more than one presumed parent;

(C) The presumption arose under subsection (1)(c) of this section but the presumed parent did not marry the person who gave birth to the child; or

[*(C)*] **(D)** The presumption arose due to fraud, duress or a material mistake of fact.

(d) The four-year statute of limitation under paragraph (c) of this subsection does not apply if the presumed parent's parentage of the child is being challenged:

(A) Under section 28 of this 2025 Act based on the presumed parent having committed an act constituting rape, as defined in section 28 of this 2025 Act, that resulted in the child's conception; or

(B) Under section 59 (2) of this 2025 Act, if the child was conceived by assisted reproduction, other than under a surrogacy agreement.

(4) Except as provided in section 28 or 59 of this 2025 Act, if the parent who gave birth to a child is the only other person with a claim to parentage of the child in a proceeding to adjudicate a presumed parent's parentage of the child, the court shall:

(a) Adjudicate the presumed parent to be a parent of the child if:

(A) No party to the proceeding challenges the presumed parent's parentage of the child; or

(B) The presumed parent is identified under section 45 of this 2025 Act as a genetic parent of the child and that identification is not successfully challenged under section 45 of this 2025 Act; or

(b) Adjudicate the parentage of the child in the best interests of the child based on the factors under section 54 of this 2025 Act if:

(A) The presumed parent is not identified under section 45 of this 2025 Act as a genetic parent of the child and the presumed parent or the parent who gave birth to the child challenges the presumed parent's parentage of the child; or

(B) If another person, other than the presumed parent or the parent who gave birth to the child, asserts a claim to parentage of the child.

(5) The court may enter a judgment under this section before the child's birth but shall stay enforcement of the judgment until the birth of the child and shall order one or more of the parties to notify the court of the child's birth.

SECTION 8. ORS 109.070 is amended to read:

109.070. [*(1) The parentage of a person is rebuttably presumed if:*]

[*(a) The person is married to the birth mother at the time of the child's birth, without a judgment of separation, regardless of whether the marriage is void.*]

[*(b) The person is married to the birth mother and the child is born within 300 days after the marriage is terminated by death, annulment or dissolution or after entry of a judgment of separation.*]

[*(2) The parentage of a child established under subsection (1)(a) or (4)(a) of this section may be challenged in an action or proceeding by either spouse. The parentage may not be challenged by a person other than a spouse as long as the spouses are married and are cohabiting, unless both spouses consent to the challenge.*]

[*(3) If the court finds that it is just and equitable, giving consideration to the interests of the parties and the child, the court shall admit evidence offered to rebut the presumption of parentage in subsection (1) of this section.*]

[*(4) The paternity of a person may be established by a voluntary acknowledgment as follows:*]

[*(a) By the marriage of the parents of a child after the birth of the child, and the parents filing with the State Registrar of the Center for Health Statistics the voluntary acknowledgment of paternity form as provided by ORS 432.098.*]

[*(b) By filing with the state registrar of the Center for Health Statistics the voluntary acknowledgment of paternity form as provided under ORS 432.098. Except as otherwise provided in subsections (5) and (8) of this section, a filing under this paragraph establishes paternity for all purposes.*]

(1) A parent who gave birth to a child and a child's alleged genetic parent may establish parentage of the child:

(a) By filing with the State Registrar of the Center for Health Statistics a voluntary acknowledgment of parentage form as prescribed by rule under ORS 432.098:

(A) On or after the child's date of birth; or

(B) After the child's date of birth if the child's parents marry after the child's birth; or

[*(c)*] **(b)** By establishment of [*paternity*] **parentage** through a voluntary acknowledgment of [*paternity*] **parentage** in another state.

(2) Except as otherwise provided in subsections (5) and (8) of this section, a filing under subsection (1)(a) of this section establishes parentage for all purposes.

(3) The voluntary acknowledgment of parentage form must contain:

(a) A statement that the child whose parentage is being acknowledged does not have a presumed parent, other acknowledged parent, adjudicated parent or intended parent other than the parent who gave birth to the child;

(b) A statement of the parents' rights and responsibilities including any rights afforded to a parent who is under 18 years of age;

(c) A statement of the alternatives to and consequences of signing the acknowledgment;

(d) Lines for the Social Security numbers and addresses of the parents;

(e) If the acknowledgment is witnessed by staff in the health care facility, a statement that the witness read to the parties the rights, responsibilities, alternatives and consequences listed on the acknowledgment prior to signing the acknowledgment;

(f) A statement that the parties to the acknowledgment understand that the acknowledgment is the equivalent of an adjudication of parentage of the child and that a challenge to the acknowledgment is permitted only under limited circumstances; and

(g) A place for the signatures of the parent who gave birth to the child and the individual whose parentage is being acknowledged to be:

(A) Notarized; or

(B) Witnessed by a staff member of the health facility where the child was born if witnessed within five days following the child's birth.

(4) Unless rescinded under subsection (5) of this section or successfully challenged under subsection (6) of this section an acknowledgment of parentage that complies with this section and ORS 432.098 and has become effective as described in ORS 432.098 is equivalent to an adjudication of parentage of the child and confers on the acknowledged parent all rights and duties of a parent.

(5)(a) A party to a voluntary acknowledgment of [*paternity*] **parentage** may rescind the acknowledgment **by filing with the state registrar a written rescission, signed by the party and notarized.**

(b) The rescission must be filed with the state registrar within the earlier of:

(A) Sixty days after [*filing*] the acknowledgment **becomes effective as described in ORS 432.098**; or

(B) The date of **the first hearing before the court in** a proceeding relating to the child, including a proceeding to establish a support order, in which the party wishing to rescind the acknowledgment is also a party. [*For the purposes of this subparagraph, the date of a proceeding is the date on which an order is entered in the proceeding.*]

[*(b) To rescind the acknowledgment, the party shall sign and file with the State Registrar of the Center for Health Statistics a written document declaring the rescission.*]

(6)(a) A signed voluntary acknowledgment of [*paternity*] **parentage** filed in this state may be challenged and set aside in circuit court at any time after the 60-day period referred to in subsection (5) of this section on the basis of fraud, duress or a material mistake of fact.

(b) The challenge may be brought by:

(A) A party to the acknowledgment;

(B) The child named in the acknowledgment; or

(C) The Department of Human Services or the administrator, as defined in ORS 25.010, if the child named in the acknowledgment is in the care and custody of the department under ORS chapter 419B and the department or the administrator reasonably believes that the acknowledgment was signed because of fraud, duress or a material mistake of fact.

(c) Notwithstanding paragraph (b) of this subsection, an acknowledgment of parentage described in subsection (1)(a)(B) of this section may be challenged by the parent who gave birth to the child or by the child's acknowledged par-

ent. The parentage may not be challenged by any other person as long as the parent who gave birth to the child and the acknowledged parent are married and cohabiting, unless the parent who gave birth to the child and the acknowledged parent both consent to the challenge.

[*(c)*] **(d)** The challenge shall be initiated by filing a petition with the circuit court. Unless otherwise specifically provided by law, the challenge shall be conducted pursuant to the Oregon Rules of Civil Procedure.

(e) Every party to the acknowledgment must be made a party to the proceeding.

(f) By signing an acknowledgment of parentage, a party to the acknowledgment submits to the personal jurisdiction in this state in a proceeding to challenge the acknowledgment, effective on the filing of the acknowledgment with the state registrar.

[*(d)*] **(g)** The party bringing the challenge has the burden of proof.

[*(e)*] **(h)** Legal responsibilities arising from the acknowledgment, including child support obligations, may not be suspended during the challenge, except for good cause.

[*(f)*] **(i)** If the court finds by a preponderance of the evidence that the acknowledgment was signed because of fraud, duress or material mistake of fact, the court shall set aside the acknowledgment unless, giving consideration to the interests of the parties and the child, the court finds that setting aside the acknowledgment would be substantially inequitable.

(7) [*Within one year after a voluntary acknowledgment of paternity form is filed in this state and if blood tests, as defined in ORS 109.251, have not been completed,*] A party to [*the acknowledgment*] **a voluntary acknowledgment of parentage**, or the department if the child named in the acknowledgment is in the care and custody of the department under ORS chapter 419B, may apply to the administrator for an order for [*blood tests*] **genetic testing** in accordance with ORS 25.554 **if:**

(a) The application is made within one year after the acknowledgment becomes effective, as described in ORS 432.098;

(b) Genetic testing has not previously been completed; and

(c) The administrator is not prohibited under ORS 25.554 (9) from reopening the issue of parentage and ordering genetic testing.

(8)(a) A voluntary acknowledgment of [*paternity*] **parentage** is not valid if, before the party signed the acknowledgment:

(A) The party signed a consent to the adoption of the child by another individual;

(B) The party signed a document relinquishing the child to a child-caring agency as defined in ORS 418.205;

(C) The party's parental rights were terminated by a court; or

(D) [*In an adjudication, the party was determined not to be the biological*] **The party was adjudicated not to be the** parent of the child.

(b) A voluntary acknowledgment of parentage is not valid if, at the time the acknowledgment is signed, an individual other than the parent who gave birth to the child is the child's presumed parent, acknowledged parent, adjudicated parent or intended parent, including an intended parent of the child under a surrogacy agreement.

[*(b)*] **(c)** Notwithstanding any provision of subsection [*(4)(a)*] **(1)(a)** or (b) of this section or ORS 432.098 to the contrary, an acknowledgment **does not establish parentage and is void if:**

(A) The acknowledgment is signed by a party described in **paragraph (a) of** this subsection[*and filed with the State Registrar of the Center for Health Statistics does not establish paternity and is void.*]**; or**

(B) The acknowledgment is signed under the circumstances described in paragraph (b) of this subsection.

(9) An unchallenged acknowledgment of parentage may not be ratified by a court or an administrative agency.

SECTION 9. ORS 109.070, as amended by section 8 of this 2025 Act, is amended to read:

109.070. (1) A parent who gave **or will give** birth to a child and a child's alleged genetic parent**, presumed parent or, if the child was conceived by assisted reproduction, other than under a surrogacy agreement, intended parent** may establish parentage of the child:

(a) By filing with the State Registrar of the Center for Health Statistics a voluntary acknowledgment of parentage form as prescribed by rule under ORS 432.098:

(A) **Before,** on or after the child's date of birth; or

(B) After the child's date of birth if the child's parents marry after the child's birth; or

(b) By establishment of parentage through a voluntary acknowledgment of parentage in another state.

(2) Except as otherwise provided in subsections [*(5)*] **(6)** and [*(8)*] **(9)** of this section, a filing under subsection (1)(a) of this section establishes parentage for all purposes.

(3) The voluntary acknowledgment of parentage form must contain:

(a) A statement that the child whose parentage is being acknowledged**:**

(A) Does not have a presumed parent[,] other **than the individual seeking to establish parentage or has a presumed parent whose denial of parentage is being filed with the acknowledgment; and**

(B) Does not have another acknowledged parent, adjudicated parent or intended parent other than the parent who gave **or will give** birth to the child;

(b) A statement of the parents' rights and responsibilities including any rights afforded to a parent who is under 18 years of age;

(c) A statement of the alternatives to and consequences of signing the acknowledgment;

(d) Lines for the Social Security numbers and addresses of the parents;

(e) If the acknowledgment is witnessed by staff in the health care facility, a statement that the witness read to the parties the rights, responsibilities, alternatives and consequences listed on the acknowledgment prior to signing the acknowledgment;

(f) A statement that the parties to the acknowledgment understand that the acknowledgment is the equivalent of an adjudication of parentage of the child and that a challenge to the acknowledgment is permitted only under limited circumstances; and

(g) A place for the signatures of the parent who gave **or will give** birth to the child and the individual whose parentage is being acknowledged to be:

(A) Notarized; or

(B) Witnessed by a staff member of the health facility where the child was born if witnessed within five days following the child's birth.

(4)(a) A presumed parent or an alleged genetic parent may deny parentage by signing a written denial of parentage.

(b) The denial of parentage is effective only if:

(A) An acknowledgment of parentage by another individual is filed with the state registrar before, concurrently or after the denial of parentage is filed with the state registrar;

(B) The signature of the presumed parent or alleged genetic parent is notarized; and

(C) The presumed parent or alleged genetic parent has not previously been adjudicated to be a parent of the child or signed a valid acknowledgment of parentage, unless the previous acknowledgment of parentage was rescinded under subsection (6) of this section or challenged successfully under subsection (7) of this section.

[*(4)*] **(5)** Unless rescinded under subsection [*(5)*] **(6)** of this section or successfully challenged under subsection [*(6)*] **(7)** of this section**:**

(a) An acknowledgment of parentage that complies with this section and ORS 432.098 and has become effective as described in ORS 432.098 is equivalent to an adjudication of parentage of the child and confers on the acknowledged parent all rights and duties of a parent.

(b) A denial of parentage by a presumed parent or alleged genetic parent that complies with this section and ORS 432.098 and has become effective as described in ORS 432.098 is equivalent to an adjudication of nonparentage.

[*(5)(a)*] **(6)(a)** A party to a voluntary acknowledgment **or denial** of parentage may rescind the acknowledgment **or denial** by filing with the state registrar a written rescission, signed by the party and notarized.

(b) The rescission must be filed with the state registrar within the earlier of:

(A) Sixty days after the acknowledgment **or denial** becomes effective as described in ORS 432.098; or

(B) The date of the first hearing before the court in a proceeding relating to the child, including a proceeding to establish a support order, in which the party wishing to rescind the acknowledgment **or denial** is also a party.

(c)(A) If an acknowledgment of parentage is rescinded under this subsection, an associated denial of parentage is invalid.

(B) If a denial of parentage is rescinded under this subsection, an associated acknowledgment of parentage is invalid.

[*(6)(a)*] **(7)(a)** A signed voluntary acknowledgment of parentage **and, if applicable, denial of parentage** filed in this state may be challenged and set aside in circuit court at any time after the 60-day period referred to in subsection [*(5)*] **(6)** of this section on the basis of fraud, duress or a material mistake of fact.

(b) The challenge may be brought by:

(A) A party to the acknowledgment **and, if applicable, the denial**;

(B) The child named in the acknowledgment **and, if applicable, the denial**; or

(C) The Department of Human Services or the administrator, as defined in ORS 25.010, if the child named in the acknowledgment **and, if applicable, the denial** is in the care and custody of the department under ORS chapter 419B and the department or the administrator reasonably believes that the acknowledgment **or denial** was signed because of fraud, duress or a material mistake of fact.

(c) Notwithstanding paragraph (b) of this subsection, an acknowledgment of parentage described in subsection (1)(a)(B) of this section may be challenged by the parent who gave birth to the child or by the child's acknowledged parent. The parentage may not be challenged by any other person as long as the parent who gave birth to the child and the acknowledged parent are married and cohabiting, unless the parent who gave birth to the child and the acknowledged parent both consent to the challenge.

(d) The challenge shall be initiated by filing a petition with the circuit court. Unless otherwise specifically provided by law, the challenge shall be conducted pursuant to the Oregon Rules of Civil Procedure.

(e) Every party to the acknowledgment **and, if applicable, the denial** must be made a party to the proceeding.

(f) By signing an acknowledgment of parentage **or denial of parentage**, a party to the acknowledgment **or denial** submits to the personal jurisdiction in this state in a proceeding to challenge the acknowledgment **or denial**, effective on the filing of the acknowledgment **or denial** with the state registrar.

(g) The party bringing the challenge has the burden of proof.

(h) Legal responsibilities arising from the acknowledgment, including child support obligations, may not be suspended during the challenge, except for good cause.

(i) If the court finds by a preponderance of the evidence that the acknowledgment **or denial** was signed because of fraud, duress or material mistake of fact, the court shall set aside the acknowledgment **and, if applicable, the denial** unless, giving consideration to the interests of the parties and the child, the court finds that setting aside the acknowledgment **or denial** would be substantially inequitable.

[*(7)*] **(8)** A party to a voluntary acknowledgment of parentage **or denial of parentage**, or the department if the child named in the acknowledgment **and, if applicable, the denial** is in the care and custody of the department under ORS chapter 419B, may apply to the administrator for an order for genetic testing in accordance with ORS 25.554 if:

(a) The application is made within one year after the acknowledgment **or denial** becomes effective, as described in ORS 432.098;

(b) Genetic testing has not previously been completed; and

(c) The administrator is not prohibited under ORS 25.554 (9) from reopening the issue of parentage and ordering genetic testing.

[*(8)(a)*] **(9)(a)** A voluntary acknowledgment of parentage is not valid if, before the party signed the acknowledgment:

(A) The party signed a consent to the adoption of the child by another individual;

(B) The party signed a document relinquishing the child to a child-caring agency as defined in ORS 418.205;

(C) The party's parental rights were terminated by a court; or

(D) The party was adjudicated not to be the parent of the child.

(b) A voluntary acknowledgment of parentage **and, if applicable, denial of parentage** is not valid if, at the time the acknowledgment **or denial** is signed[,]**:**

(A) An individual other than the **individual seeking to establish parentage or the individual seeking to deny parentage is the presumed parent of the child; or**

(B) An individual other than the parent who gave **or will give** birth to the child **or the individual seeking to establish parentage,** is the child's [*presumed parent,*] acknowledged parent, adjudicated parent or intended parent, including an intended parent of the child under a surrogacy agreement.

(c) Notwithstanding any provision of subsection (1)(a) or (b) of this section or ORS 432.098 to the contrary, an acknowledgment **or denial** does not establish **or disestablish** parentage and is void if:

(A) The acknowledgment is signed by a party described in paragraph (a) of this subsection; or

(B) The acknowledgment **or denial** is signed under the circumstances described in paragraph (b) of this subsection.

[*(9)*] **(10)** An unchallenged acknowledgment of parentage may not be ratified by a court or an administrative agency.

SECTION 10. ORS 109.072 is amended to read:

109.072. (1) As used in this section:

[*(a) "Blood tests" has the meaning given that term in ORS 109.251.*]

[*(b)(A)*] **(a)(A)** "Parentage judgment" means a judgment or administrative order that:

(i) Expressly or by inference determines the parentage of a child, or that imposes a child support obligation based on the parentage of a child; and

(ii) Resulted from a proceeding in which [*blood tests were*] **genetic testing was** not performed and the issue of parentage was not challenged.

(B) "Parentage judgment" does not include a judgment or administrative order that determines [*paternity or*] parentage of a child conceived by assisted reproduction [*as defined in ORS 109.239*].

[*(c)*] **(b)** "Petition" means a petition or motion filed under this section.

[*(d)*] **(c)** "Petitioner" means the person filing a petition or motion under this section.

(2)(a) The following may file in circuit court a petition to vacate or set aside the parentage determination of a parentage judgment, including any child support obligations established in the parentage judgment, and for a judgment of nonparentage:

(A) A party to the parentage judgment.

(B) The Department of Human Services if the child is in the care and custody of the Department of Human Services under ORS chapter 419B.

(C) The Division of Child Support of the Department of Justice if the child support rights of the child or of one of the parties to the parentage judgment have been assigned to the state.

(b) The petitioner may file the petition in the circuit court proceeding in which the parentage judgment was entered, in a related proceeding or in a separate action. The petitioner shall attach a copy of the parentage judgment to the petition.

(c) If the ground for the petition is that the parentage determination was obtained by or was the result of mistake, inadvertence, surprise or excusable neglect, the petitioner may not file the petition more than one year after entry of the parentage judgment.

(d) If the ground for the petition is that the parentage determination was obtained by or was the result of fraud, misrepresentation or other misconduct of an adverse party, the petitioner may not file the petition more than one year after the petitioner discovers the fraud, misrepresentation or other misconduct.

(3) In the petition, the petitioner shall:

(a) Designate as parties:

(A) All persons who were parties to the parentage judgment;

(B) The child if the child is a child attending school, as defined in ORS 107.108;

(C) The Department of Human Services if the child is in the care and custody of the Department of Human Services under ORS chapter 419B; and

(D) The Administrator of the Division of Child Support of the Department of Justice if the child support rights of the child or of one of the parties to the parentage judgment have been assigned to the state.

(b) Provide the full name and date of birth of the child whose parentage was determined by the parentage judgment.

(c) Allege the facts and circumstances that resulted in the entry of the parentage judgment and explain why the issue of parentage was not contested.

(4) After filing a petition under this section, the petitioner shall serve a summons and a true copy of the petition on all parties as provided in ORCP 7.

(5) The court, on its own motion or on the motion of a party, may appoint counsel for the child. However, if requested to do so by the child, the court shall appoint counsel for the child. A reasonable fee for an attorney so appointed may be charged against one or more of the parties or as a cost in the proceeding, but may not be charged against funds appropriated for public defense services.

(6) The court may order the [*mother*] **parent who gave birth to the child**, the child and the person whose parentage of the child was determined by the parentage judgment to submit to [*blood tests*] **genetic testing**. In deciding whether to order [*blood tests*] **genetic testing**, the court shall consider the interests of the parties and the child and, if it is just and equitable to do so, may deny a request for [*blood tests*] **genetic testing**. If the court orders [*blood tests*] **genetic testing** under this subsection, the court shall order the petitioner to pay the costs of the [*blood tests*] **genetic testing**.

(7) Unless the court finds, giving consideration to the interests of the parties and the child, that to do so would be substantially inequitable, the court shall vacate or set aside the parentage determination of the parentage judgment, including provisions imposing child support obligations, and enter a judgment of nonparentage if the court finds by a preponderance of the evidence that:

(a) The parentage determination was obtained by or was the result of:

(A) Mistake, inadvertence, surprise or excusable neglect; or

(B) Fraud, misrepresentation or other misconduct of an adverse party;

(b) The mistake, inadvertence, surprise, excusable neglect, fraud, misrepresentation or other misconduct was discovered by the petitioner after the entry of the parentage judgment; and

(c)(A) [*Blood tests establish*] **Genetic testing establishes** that the person is not the [*biological*] **genetic** parent of the child and the parentage determination was based on [*biological*] **genetic** parentage; or

(B) The parentage determination was not based on [*biological*] **genetic** parentage.

(8) If the court finds that the parentage determination of a parentage judgment was obtained by or was the result of fraud, the court may vacate or set aside the parentage determination regardless of whether the fraud was intrinsic or extrinsic.

(9) [*If the court finds, based on blood test evidence, that the person may be the biological parent of the child and that the cumulative paternity or parentage index based on the blood test evidence is 99 or greater, the court shall deny the petition.*] **The court shall deny a petition to set aside the parentage determination if the court finds, based on genetic testing, that the person is the child's presumed genetic parent under section 45 of this 2025 Act unless the person has rebutted the presumption as provided in section 45 (2) of this 2025 Act.**

(10) The court may grant the relief authorized by this section upon a party's default, or by consent or stipulation of the parties, without [*blood test evidence*] **genetic testing**.

(11) A judgment entered under this section vacating or setting aside the parentage determination of a parentage judgment and determining nonparentage:

(a) Shall contain the full name and date of birth of the child whose parentage was established or declared by the parentage judgment.

(b) Shall vacate and terminate any ongoing and future child support obligations arising from or based on the parentage judgment.

(c) May vacate or deem as satisfied, in whole or in part, unpaid child support obligations arising from or based on the parentage judgment.

(d) May not order restitution from the state for any sums paid to or collected by the state for the benefit of the child.

(12) If the court vacates or sets aside the parentage determination of a parentage judgment under this section and enters a judgment of nonparentage, the petitioner shall send a court-certified true copy of the judgment entered under this section to the State Registrar of the Center for Health Statistics and to the Department of Justice as the state disbursement unit. Upon receipt of the court-certified true copy of the judgment entered under this section, the state registrar shall correct any records maintained by the state registrar that indicate that the party to the parentage judgment is the parent of the child.

(13) The court may award to the prevailing party a judgment for reasonable attorney fees and costs, including the cost of any [*blood tests*] **genetic testing** ordered by the court and paid by the prevailing party.

(14) A judgment entered under this section vacating or setting aside the parentage determination of a parentage judgment and determining nonparentage is not a bar to further proceedings to determine parentage, as otherwise allowed by law.

(15) If a person whose parentage of a child has been determined by a parentage judgment has died,

an action under this section may not be initiated by or on behalf of the estate of the person.

(16) This section does not limit the authority of the court to vacate or set aside a judgment under ORCP 71, to modify a judgment within a reasonable period, to entertain an independent action to relieve a party from a judgment, to vacate or set aside a judgment for fraud upon the court or to render a declaratory judgment under ORS chapter 28.

(17) This section shall be liberally construed to the end of achieving substantial justice.

SECTION 11. ORS 109.092 is amended to read:

109.092. (1) When it is determined that a [*woman*] **person** is pregnant with a child, the [*woman*] **person** and any [*man*] **individual** to whom [*she*] **the pregnant person** is not married and with whom [*she*] **the pregnant person** engaged in sexual intercourse at approximately the time of conception have an obligation to recognize that the [*man*] **individual** may be the other person responsible for the conception.

(2)(a) During the months of pregnancy, the [*man*] **individual** may join the [*woman*] **pregnant person** in acknowledging [*paternity*] **parentage** and assuming the rights and duties of expectant parenthood.

(b) If the [*man*] **individual** acknowledges [*paternity*] **parentage** of the expected child and the [*woman*] **pregnant person** denies that [*he is the father*] **the individual is the genetic parent of the child** or refuses to join [*him*] **the individual** in acknowledging [*paternity*] **parentage**, the [*man*] **individual** may seek relief under ORS 109.125.

(c) If the [*woman*] **pregnant person** wants the [*man*] **individual** to [*join her in acknowledging his paternity*] **acknowledge the individual's parentage** of the expected child and the [*man*] **individual** denies [*that he is the father*] **parentage** or refuses to [*join her in acknowledging paternity*] **acknowledge parentage**, the [*woman*] **pregnant person** may seek relief under ORS 109.125.

(3) If after the birth of the child the [*mother*] **parent who gave birth to the child** decides to surrender the child for adoption and [*paternity*] **parentage** has not been acknowledged as provided in ORS 109.065 [*(1)(e)*] **(5)** or the [*putative father*] **alleged genetic parent** has not asserted [*his*] **parental** rights in [*filiation*] proceedings **to adjudicate parentage of the child**, the [*mother*] **parent who gave birth to the child** has the right without the consent of the [*putative father*] **alleged genetic parent** to surrender the child as provided in ORS 418.270 or to consent to the child's adoption.

(4) Subsection (3) of this section does not apply if the child is an Indian child**, as defined in ORS 419B.603**.

SECTION 12. ORS 109.096 is amended to read:

109.096. (1) When the parentage of a child has not been established under ORS 109.065 or has not been established or acknowledged under ORS 419B.609, the [*putative father*] **alleged genetic parent** is entitled to reasonable notice in adoption or other court proceedings concerning the custody of the child, except for juvenile court proceedings, if the petitioner knows, or by the exercise of ordinary diligence should have known:

(a) That the child resided with the [*putative father*] **alleged genetic parent** at any time during the 60 days immediately preceding the initiation of the proceeding, or at any time since the child's birth if the child is less than 60 days old when the proceeding is initiated; or

(b) That the [*putative father*] **alleged genetic parent** repeatedly has contributed or tried to contribute to the support of the child during the year immediately preceding the initiation of the proceeding, or during the period since the child's birth if the child is less than one year old when the proceeding is initiated.

(2) Except as provided in subsection (3) or (4) of this section, a verified statement of the [*mother of the child*] **parent who gave birth to the child** or of the petitioner, or an affidavit of another person with knowledge of the facts, filed in the proceeding and asserting that the child has not resided with the [*putative father*] **alleged genetic parent**, as provided in subsection (1)(a) of this section, and that the [*putative father*] **alleged genetic parent** has not contributed or tried to contribute to the support of the child, as provided in subsection (1)(b) of this section, is sufficient proof to enable the court to grant the relief sought without notice to the [*putative father*] **alleged genetic parent**.

(3) The [*putative father*] **alleged genetic parent** is entitled to reasonable notice in a proceeding for the adoption of the child if notice of the initiation of [*filiation proceedings*] **a proceeding to adjudicate parentage** as required by ORS 109.225 is on file with the Center for Health Statistics of the Oregon Health Authority prior to the child's being placed in the physical custody of a person or persons for the purpose of adoption by them. If the notice of the initiation of [*filiation proceedings*] **a proceeding to adjudicate parentage** is not on file at the time of the placement, the [*putative father*] **alleged genetic parent** is barred from contesting the adoption proceeding.

(4) Except as otherwise provided in subsection (3) of this section, the [*putative father*] **alleged genetic parent** is entitled to reasonable notice in court proceedings concerning the custody of the child, other than juvenile court proceedings, if notice of the initiation of [*filiation proceedings*] **a proceeding to adjudicate parentage** as required by ORS 109.225 is on file with the Center for Health Statistics prior to the initiation of the proceedings.

(5) Notice under this section is not required to be given to [*a putative father*] **an alleged genetic parent** who was a party to a [*filiation proceeding*] **proceeding to adjudicate parentage** under ORS 109.125 or to a proceeding to acknowledge or establish parentage of an Indian child under ORS 419B.609 if the proceeding under ORS 109.125 or 419B.609 was dismissed or resulted in a finding that

the [*putative father*] **alleged genetic parent** was not the [*father*] **parent** of the child.

(6) The notice required under this section shall be given in the manner provided in ORS 109.330.

(7) No notice given under this section need disclose the name of the [*mother of*] **parent who gave birth to** the child.

(8) [*A putative father*] **An individual who is an alleged genetic parent** has the primary responsibility to protect [*his*] **the individual's** rights, and nothing in this section [*shall*] **may** be used to set aside an act of a permanent nature including, but not limited to, adoption or termination of parental rights, unless the [*father*] **alleged genetic parent** establishes within one year after the entry of the final judgment or order fraud on the part of a petitioner in the proceeding with respect to matters specified in subsections (1) to (5) of this section.

SECTION 13. ORS 109.098 is amended to read:

109.098. (1) If [*a putative father*] **an alleged genetic parent** of a child by due appearance in a proceeding of which [*he*] **the alleged genetic parent** is entitled to notice under ORS 109.096 objects to the relief sought, the court:

(a)(A) May stay the adoption or other court proceeding to await the outcome of the [*filiation proceedings*] **proceeding to adjudicate parentage** only if notice of the initiation of [*filiation proceedings*] **the proceeding** was on file as required by ORS 109.096 (3) or (4); or

(B) If the child is an Indian child, **as defined in ORS 419B.603,** shall stay the adoption proceeding to await the outcome of [*a determination*] **an adjudication** of the [*putative father's*] **alleged genetic parent's** parentage under ORS 419B.609.

(b) Shall, if [*neither a filiation proceeding nor a proceeding to determine the putative father's parentage under ORS 419B.609*] **no proceeding to determine the alleged genetic parent's parentage** is pending, inquire as to the [*paternity*] **parentage** of the child, the [*putative father's*] **alleged genetic parent's** past endeavors to fulfill [*his*] **the alleged genetic parent's** obligation to support the child and to contribute to the pregnancy-related medical expenses, the period that the child has lived with the [*putative father*] **alleged genetic parent**, the [*putative father's*] **alleged genetic parent's** fitness to care for and rear the child and whether the [*putative father*] **alleged genetic parent** is willing to be declared the [*father*] **genetic parent** of the child and to assume the responsibilities of a [*father*] **parent**.

(2) If after inquiry under subsection (1)(b) of this section the court finds:

(a) That the [*putative father*] **alleged genetic parent** is the [*father*] **genetic parent** of the child and is fit and willing to assume the responsibilities of a [*father*] **parent**, it shall have the power:

(A) **Except as provided in section 28 of this 2025 Act,** upon the request of the [*putative father*] **alleged genetic parent**, to [*declare his paternity and to certify the fact of paternity*] **adjudicate the alleged genetic parent's parentage and certify the parentage** in the manner provided in ORS 109.094; and

(B) To award custody of the child to either parent as may be in the best interests of the child, or to take any other action which the court may take if the parents are or were married to each other.

(b) That the [*putative father is not the father*] **alleged genetic parent is not the parent** of the child, it may grant the relief sought in the proceeding without the [*putative father's*] **alleged genetic parent's** consent.

(c) That the [*putative father is the natural father*] **alleged genetic parent is the genetic parent** of the child but is not fit or willing to assume the responsibilities of a [*father*] **parent**, it may grant the relief sought in the proceeding or any other relief that the court deems to be in the **child's** best interests [*of the child*] **as described in section 54 of this 2025 Act**, notwithstanding the [*father's*] **alleged genetic parent's** objection.

(3) If a [*putative father of a child*] **child's alleged genetic parent** is given the notice of a proceeding required by ORS 109.096 and [*he*] fails to enter due appearance and to object to the relief sought therein within the time specified in the notice, the court may grant the relief sought without the [*putative father's*] **alleged genetic parent's** consent.

SECTION 14. ORS 109.112 is amended to read:

109.112. **(1)** The [*mother, father or putative father of a child*] **parent who gave birth to a child and the child's presumed parent, adjudicated parent, acknowledged parent or alleged genetic parent** shall be deemed to have attained majority [*and,*]**.**

(2) Regardless of age, **the parent who gave birth to a child or the child's alleged genetic parent may acknowledge parentage as provided in ORS 109.070.**

(3) Regardless of age, the parent who gave birth to a child or the child's presumed parent, adjudicated parent, acknowledged parent or alleged genetic parent may give authorizations, releases or waivers, or enter into agreements, in adoption, juvenile court, [*filiation*] **parentage determination** or other proceedings concerning the care or custody of the child.

SECTION 15. ORS 109.112, as amended by section 14 of this 2025 Act, is amended to read:

109.112. (1) The parent who gave birth to a child and the child's presumed parent, adjudicated parent, acknowledged parent or alleged genetic parent shall be deemed to have attained majority.

(2) Regardless of age, the parent who gave birth to a child or the child's **presumed parent or** alleged genetic parent may acknowledge **or deny** parentage as provided in ORS 109.070.

(3) Regardless of age, the parent who gave birth to a child or the child's presumed parent, adjudicated parent, acknowledged parent or alleged genetic parent may give authorizations, releases or waivers, or enter into agreements, in adoption, juvenile court,

parentage determination or other proceedings concerning the care or custody of the child.

SECTION 16. ORS 109.259 is amended to read:

109.259. **(1)** Notwithstanding the objections of a party to an order that seeks to establish parentage, [*if the blood tests conducted under ORS 109.250 to 109.262 result in a cumulative paternity index of 99 or greater, the evidence of the blood tests together with the testimony of a parent is a sufficient basis upon which to presume paternity for establishing temporary support.*] **parentage of a child may be presumed for the purpose of establishing temporary child support if the person whose parentage is being established is:**

(a) A presumed parent;

(b) Petitioning to be adjudicated a parent;

(c) Identified as a genetic parent under section 45 of this 2025 Act;

(d) An alleged genetic parent who has declined to submit to genetic testing;

(e) Shown by clear and convincing evidence to be a parent of the child; or

(f) An intended parent of the child and the child was conceived by assisted reproduction, including under a surrogacy agreement.

(2) Upon the motion of a party, the court shall enter a temporary order requiring the [*alleged father*] **the person whose parentage is being established** to provide support pending the determination of parentage by the court.

(3) In determining the amount of support, the court shall use the formula established under ORS 25.275.

SECTION 17. ORS 109.326 is amended to read:

109.326. (1) [*If the mother of a child was married at the time of the conception or birth of the child, and it has been determined pursuant to ORS 109.065 or 419B.609 or judicially determined that the mother's spouse at such time or times was not the parent of the child,*] **If a parent who gave birth to a child was married at the time of the conception or birth of the child, and the spouse of the parent who gave birth to the child is adjudicated not to be the parent of the child,** the spouse's authorization or waiver is not required in adoption, juvenile court or other proceedings concerning the custody of the child.

(2)(a) If parentage of the child has not been [*determined, a determination*] **adjudicated, an adjudication** of nonparentage **under this section** may be made by any court having adoption, divorce or juvenile court jurisdiction.

(b) Except as provided in subsection (11) of this section, the testimony or affidavit of the [*mother or the spouse*] **parent who gave birth to the child, the spouse of the parent who gave birth to the child** or another person with knowledge of the facts filed in the proceeding constitutes competent evidence before the court making the determination.

(c) The provisions of this section relating to Indian children do not apply if the determination of nonparentage is being made by a court having divorce jurisdiction or jurisdiction to decide custody between unmarried parents.

(3) Before the court may make the determination of nonparentage, the petitioner shall:

(a) Conduct the inquiry described in ORS 419B.636 (2) to determine whether the petitioner has reason to know that the child is an Indian child; and

(b) Serve on the spouse a summons and a true copy of a motion and order to show cause why a judgment of nonparentage should not be entered if:

(A) [*There has been a determination by any court of competent jurisdiction that*] The spouse is [*the*] **an adjudicated** parent of the child;

(B) The child resided with the spouse at any time since the child's birth;

(C) The spouse repeatedly has contributed or tried to contribute to the support of the child; or

(D) The petitioner has reason to know that the child is an Indian child.

(4) When the petitioner is required to serve the spouse with a summons and a motion and order to show cause under subsection (3) of this section:

(a) Service must be made in the manner provided in ORCP 7 D and E, except as provided in subsection (7) of this section. Service of the summons and the motion and order to show cause must be proved as required in ORCP 7 F. The summons and the motion and order to show cause need not contain the names of the adoptive parents.

(b) If the petitioner has reason to know that the child is an Indian child, the petitioner shall serve copies of the motion, together with the notice of proceeding required under ORS 419B.639 (3), on:

(A) Each tribe of which the child may be a member or in which the Indian child may be eligible for membership;

(B) The child's parents;

(C) The child's Indian custodian, if applicable; and

(D) The appropriate United States Bureau of Indian Affairs Regional Director listed in 25 C.F.R. 23.11(b), if the identity or location of the child's parents, Indian custodian or tribe cannot be ascertained.

(c) The petitioner shall file a declaration of compliance under penalty of perjury made in the manner described by ORCP 1 E, that includes:

(A) A statement and documentation, as described by the Department of Human Services by rule, of the efforts described in ORS 419B.636 (2) that the petitioner made to determine whether [*there is*] **the petitioner has** reason to know that the child is an Indian child; and

(B) If the petitioner has reason to know that the child is an Indian child:

(i) A statement describing the efforts the petitioner made, as required under ORS 109.302 (2)(c), to prevent the break up of the family or to reunite the family; and

(ii) A copy of each notice of proceeding the petitioner served as required under paragraph (b) of this

subsection, together with any return receipts or other proof of service.

(5) The inquiry required under subsection (3)(a) of this section and notice required under subsection (4)(a) of this section may be combined with the inquiry and notice required under ORS 109.285 or 109.385 if the motion and order to show cause is filed concurrently with the petition for adoption or readoption under ORS 109.285 or 109.385.

(6) A summons under subsection (3) of this section must contain:

(a) A statement that if the spouse fails to file a written answer to the motion and order to show cause within the time provided, the court, without further notice and in the spouse's absence, may take any action that is authorized by law, including but not limited to entering a judgment of nonparentage on the date the answer is required or on a future date.

(b) A statement that:

(A) The spouse must file with the court a written answer to the motion and order to show cause within 30 days after the date on which the spouse is served with the summons or, if service of the summons is made by publication or posting under ORCP 7 D(6), within 30 days from the date of last publication or posting.

(B) In the answer, the spouse must inform the court and the petitioner of the spouse's telephone number or contact telephone number and the spouse's current residence, mailing or contact address in the same state as the spouse's home. The answer may be in substantially the following form:

IN THE CIRCUIT COURT OF
THE STATE OF OREGON
FOR THE COUNTY OF _____

_____,)
Petitioner,) NO._____
)
) ANSWER
and)
)
_____,)
Respondent.)

[ ] I consent to the entry of a judgment of nonparentage.

[ ] I do not consent to the entry of a judgment of nonparentage. The court should not enter a judgment of nonparentage for the following reasons:

_____

_____

_____

_____

_____

_____
Signature

DATE:_____
ADDRESS OR CONTACT ADDRESS:
_____
_____
TELEPHONE OR CONTACT TELEPHONE:
_____
_____

(c) A notice that, if the spouse answers the motion and order to show cause, the court:

(A) Will schedule a hearing to address the motion and order to show cause and, if appropriate, the adoption petition;

(B) Will order the spouse to appear personally; and

(C) May schedule other hearings related to the petition and may order the spouse to appear personally.

(d) A notice that the spouse has the right to be represented by an attorney. The notice must be in substantially the following form:

You have a right to be represented by an attorney. If you wish to be represented by an attorney, please retain one as soon as possible to represent you in this proceeding. If you meet the state's financial guidelines, you are entitled to have an attorney appointed for you at state expense. To request appointment of an attorney to represent you at state expense, you must contact the circuit court immediately. Phone _____ for further information.

(e) A statement that the spouse has the responsibility to maintain contact with the spouse's attorney and to keep the attorney advised of the spouse's whereabouts.

(7) A spouse who is served with a summons and a motion and order to show cause under this section shall file with the court a written answer to the motion and order to show cause within 30 days after the date on which the spouse is served with the summons or, if service is made by publication or posting under ORCP 7 D(6), within 30 days from the date of last publication or posting. In the answer, the spouse shall inform the court and the petitioner of the spouse's telephone number or contact telephone number and current address, as defined in ORS 25.011. The answer may be in substantially the form described in subsection (6) of this section.

(8) If the spouse requests the assistance of appointed counsel and the court determines that the spouse is financially eligible, the court shall appoint an attorney to represent the spouse at state expense. Appointment of counsel under this subsection is subject to ORS 135.055, 151.216 and 151.219. The court may not substitute one appointed counsel for another except pursuant to the policies, procedures, standards and guidelines adopted under ORS 151.216.

(9) If the spouse files an answer as required under subsection (7) of this section, the court, by oral

order made on the record or by written order provided to the spouse in person or mailed to the spouse at the address provided by the spouse, shall:

(a) Inform the spouse of the time, place and purpose of the next hearing or hearings related to the motion and order to show cause or the adoption petition;

(b) Require the spouse to appear personally at the next hearing or hearings related to the motion and order to show cause or the adoption petition; and

(c) Inform the spouse that, if the spouse fails to appear as ordered for any hearing related to the motion and order to show cause or the adoption petition, the court, without further notice and in the spouse's absence, may take any action that is authorized by law, including but not limited to entering a judgment of nonparentage on the date specified in the order or on a future date, without the consent of the spouse.

(10)(a) Upon receiving the petitioner's declaration of compliance under subsection (4)(c) of this section, the court shall review the petitioner's statements and documentation and order that the adoption may proceed if the court finds that the petitioner satisfied the inquiry requirements under ORS 419B.636 (2) and, if applicable, the notice requirements under ORS 419B.639 (2).

(b) If the court finds that the petitioner failed to satisfy the inquiry or, if applicable, notice requirements under ORS 419B.636 (2) and 419B.639 (2), or if the documentation is insufficient for the court to make those findings, the court shall direct the petitioner to cure the inquiry or notice deficiency and file an amended declaration of compliance. The court shall order the petitioner to appear and show cause why the court should not deny the motion and order to show cause if the petitioner fails to file the amended declaration of compliance within a reasonable amount of time.

(11)(a) If a spouse fails to file a written answer as required in subsection (7) of this section or fails to appear for a hearing related to the motion and order to show cause or the petition as directed by court order under this section, the court, without further notice to the spouse and in the spouse's absence, may take any action that is authorized by law, including but not limited to entering a judgment of nonparentage.

(b) Notwithstanding paragraph (a) of this subsection, the court may not enter a judgment of nonparentage unless the court finds that the petitioner complied with the inquiry requirements under ORS 419B.636 (2).

(12) If the child is an Indian child:

(a) The court may not enter a judgment of nonparentage with the consent of the spouse unless:

(A) The consent clearly sets out the conditions to the consent, if any;

(B) Prior to the execution of the consent, the court explains to the spouse, on the record in detail and in the language of the spouse, the spouse's right to legal counsel, the terms and consequences of the consent and that the spouse may withdraw the consent at any time prior to the entry of a judgment of adoption or readoption under ORS 109.350;

(C) The spouse executes the consent in person before the court not less than 10 days following the date of the Indian child's birth; and

(D) After the spouse executes the consent, the court certifies that the court provided the explanation in the manner required under subparagraph (B) of this paragraph and that the spouse fully understood the explanation.

(b) Notwithstanding subsection (9) or (11) of this section, the court may not enter a judgment of nonparentage without the consent of the spouse unless:

(A) The court has offered to order mediation through the Department of Human Services, or, if there is mutual party agreement to private mediation and to the party assumption of costs, through other mediation services, between the petitioner, spouse, Indian child's tribe and, if applicable, the proposed adoptive placement;

(B) If requested by the tribe, an agreement is in place that requires the petitioner or, if applicable, the proposed adoptive placement to maintain connection between the Indian child and the Indian child's tribe; and

(C) The court finds that:

(i) The petitioner complied with the notice requirements as required under ORS 419B.639 (2);

(ii) Despite petitioner's active efforts, evidence, including the testimony of one or more qualified expert witnesses under ORS 419B.642, establishes beyond a reasonable doubt that the continued custody of the Indian child by the spouse is likely to result in serious emotional or physical damage to the Indian child and that the petitioner's active efforts under ORS 419B.645 to reunite the Indian family did not eliminate the necessity for termination of the spouse's parental rights based on serious emotional or physical damage to the Indian child; and

(iii) That the adoptive placement complies with the placement preferences under ORS 419B.654 (2) or, if not, a finding upon the petitioner's motion under ORS 419B.654 (3) that good cause exists for placement contrary to the placement preferences in ORS 419B.654 (2).

(c) The evidence under paragraph (b)(C)(ii) of this subsection must show a causal relationship between the particular conditions in the Indian child's home and the likelihood that the spouse's continued custody will result in serious emotional or physical damage to the Indian child who is the subject of the adoption proceeding. Evidence that shows the existence of community or family poverty, isolation, single parenthood, custodian age, crowded or inadequate housing, substance abuse or nonconforming social behavior does not, by itself, establish a causal relationship as required by this paragraph.

(13) There shall be sufficient proof to enable the court to grant the relief sought without notice to the spouse if:

(a) The affidavit of the [*mother of the child*] **parent who gave birth to the child**, of the spouse

of the parent who gave birth to the child or of another person with knowledge of the facts filed in the proceeding states or the court finds from other competent evidence:

(A) That the [*mother of the child was not cohabiting with the mother's spouse*] **parent who gave birth to the child was not cohabiting with the spouse of the parent who gave birth to the child** at the time of conception of the child and that the spouse is not the parent of the child;

(B) That the spouse has not been judicially determined to be the parent of the child;

(C) That the child has not resided with the spouse; and

(D) That the spouse has not contributed or tried to contribute to the support of the child; and

(b) The court finds by clear and convincing evidence, after due diligence on the part of the petitioner, that the child is not an Indian child.

(14) Notwithstanding ORS 109.070 (1)(a), service of a summons and a motion and order to show cause on the spouse under subsection (3) of this section is not required and the spouse's consent, authorization or waiver is not required in adoption proceedings concerning the child unless the child is an Indian child or the spouse has met the requirements of subsection (3)(b)(A), (B) or (C) of this section.

(15) A spouse who was not cohabiting with the [*mother*] **parent who gave birth to the child** at the time of the child's conception has the primary responsibility to protect the spouse's rights.

(16) Nothing in this section [*shall*] **may** be used to set aside an act of a permanent nature, including but not limited to adoption, unless the parent establishes, within one year or, if the child is an Indian child, four years after the entry of the order or general judgment, as defined in ORS 18.005, fraud on the part of the petitioner with respect to the matters specified in subsection (13)(a) of this section.

(17) If the child is an Indian child, the child's tribe or Indian custodian may intervene at any time as a matter of right.

SECTION 18. ORS 109.326, as amended by section 17 of this 2025 Act, is amended to read:

109.326. (1) If a parent who gave birth to a child was married at the time of the conception or birth of the child, and the spouse of the parent who gave birth to the child **signs an effective denial of parentage or** is adjudicated not to be the parent of the child, the spouse's authorization or waiver is not required in adoption, juvenile court or other proceedings concerning the custody of the child.

(2)(a) If parentage of the child has not been adjudicated, an adjudication of nonparentage under this section may be made by any court having adoption, divorce or juvenile court jurisdiction.

(b) Except as provided in subsection (11) of this section, the testimony or affidavit of the parent who gave birth to the child, the spouse of the parent who gave birth to the child or another person with knowledge of the facts filed in the proceeding constitutes competent evidence before the court making the determination.

(c) The provisions of this section relating to Indian children do not apply if the determination of nonparentage is being made by a court having divorce jurisdiction or jurisdiction to decide custody between unmarried parents.

(3) Before the court may make the determination of nonparentage, the petitioner shall:

(a) Conduct the inquiry described in ORS 419B.636 (2) to determine whether the petitioner has reason to know that the child is an Indian child; and

(b) Serve on the spouse a summons and a true copy of a motion and order to show cause why a judgment of nonparentage should not be entered if:

(A) The spouse is an adjudicated parent of the child;

(B) The child resided with the spouse at any time since the child's birth;

(C) The spouse repeatedly has contributed or tried to contribute to the support of the child; or

(D) The petitioner has reason to know that the child is an Indian child.

(4) When the petitioner is required to serve the spouse with a summons and a motion and order to show cause under subsection (3) of this section:

(a) Service must be made in the manner provided in ORCP 7 D and E, except as provided in subsection (7) of this section. Service of the summons and the motion and order to show cause must be proved as required in ORCP 7 F. The summons and the motion and order to show cause need not contain the names of the adoptive parents.

(b) If the petitioner has reason to know that the child is an Indian child, the petitioner shall serve copies of the motion, together with the notice of proceeding required under ORS 419B.639 (3), on:

(A) Each tribe of which the child may be a member or in which the Indian child may be eligible for membership;

(B) The child's parents;

(C) The child's Indian custodian, if applicable; and

(D) The appropriate United States Bureau of Indian Affairs Regional Director listed in 25 C.F.R. 23.11(b), if the identity or location of the child's parents, Indian custodian or tribe cannot be ascertained.

(c) The petitioner shall file a declaration of compliance under penalty of perjury made in the manner described by ORCP 1 E, that includes:

(A) A statement and documentation, as described by the Department of Human Services by rule, of the efforts described in ORS 419B.636 (2) that the petitioner made to determine whether the petitioner has reason to know that the child is an Indian child; and

(B) If the petitioner has reason to know that the child is an Indian child:

(i) A statement describing the efforts the petitioner made, as required under ORS 109.302 (2)(c), to prevent the break up of the family or to reunite the family; and

(ii) A copy of each notice of proceeding the petitioner served as required under paragraph (b) of this subsection, together with any return receipts or other proof of service.

(5) The inquiry required under subsection (3)(a) of this section and notice required under subsection (4)(a) of this section may be combined with the inquiry and notice required under ORS 109.285 or 109.385 if the motion and order to show cause is filed concurrently with the petition for adoption or readoption under ORS 109.285 or 109.385.

(6) A summons under subsection (3) of this section must contain:

(a) A statement that if the spouse fails to file a written answer to the motion and order to show cause within the time provided, the court, without further notice and in the spouse's absence, may take any action that is authorized by law, including but not limited to entering a judgment of nonparentage on the date the answer is required or on a future date.

(b) A statement that:

(A) The spouse must file with the court a written answer to the motion and order to show cause within 30 days after the date on which the spouse is served with the summons or, if service of the summons is made by publication or posting under ORCP 7 D(6), within 30 days from the date of last publication or posting.

(B) In the answer, the spouse must inform the court and the petitioner of the spouse's telephone number or contact telephone number and the spouse's current residence, mailing or contact address in the same state as the spouse's home. The answer may be in substantially the following form:

IN THE CIRCUIT COURT OF
THE STATE OF OREGON
FOR THE COUNTY OF _____

_____,)
Petitioner,) NO._____
)
) ANSWER
and)
)
_____,)
Respondent.)

[ ] I consent to the entry of a judgment of nonparentage.

[ ] I do not consent to the entry of a judgment of nonparentage. The court should not enter a judgment of nonparentage for the following reasons:

_____

_____

_____

_____

_____

_____
Signature
DATE:_____
ADDRESS OR CONTACT ADDRESS:
_____
_____
TELEPHONE OR CONTACT TELEPHONE:
_____

(c) A notice that, if the spouse answers the motion and order to show cause, the court:

(A) Will schedule a hearing to address the motion and order to show cause and, if appropriate, the adoption petition;

(B) Will order the spouse to appear personally; and

(C) May schedule other hearings related to the petition and may order the spouse to appear personally.

(d) A notice that the spouse has the right to be represented by an attorney. The notice must be in substantially the following form:

You have a right to be represented by an attorney. If you wish to be represented by an attorney, please retain one as soon as possible to represent you in this proceeding. If you meet the state's financial guidelines, you are entitled to have an attorney appointed for you at state expense. To request appointment of an attorney to represent you at state expense, you must contact the circuit court immediately. Phone _____ for further information.

(e) A statement that the spouse has the responsibility to maintain contact with the spouse's attorney and to keep the attorney advised of the spouse's whereabouts.

(7) A spouse who is served with a summons and a motion and order to show cause under this section shall file with the court a written answer to the motion and order to show cause within 30 days after the date on which the spouse is served with the summons or, if service is made by publication or posting under ORCP 7 D(6), within 30 days from the date of last publication or posting. In the answer, the spouse shall inform the court and the petitioner of the spouse's telephone number or contact telephone number and current address, as defined in ORS 25.011. The answer may be in substantially the form described in subsection (6) of this section.

(8) If the spouse requests the assistance of appointed counsel and the court determines that the spouse is financially eligible, the court shall appoint an attorney to represent the spouse at state expense. Appointment of counsel under this subsection is subject to ORS 135.055, 151.216 and 151.219. The court may not substitute one appointed counsel for another except pursuant to the policies, procedures, standards and guidelines adopted under ORS 151.216.

(9) If the spouse files an answer as required under subsection (7) of this section, the court, by oral order made on the record or by written order provided to the spouse in person or mailed to the spouse at the address provided by the spouse, shall:

(a) Inform the spouse of the time, place and purpose of the next hearing or hearings related to the motion and order to show cause or the adoption petition;

(b) Require the spouse to appear personally at the next hearing or hearings related to the motion and order to show cause or the adoption petition; and

(c) Inform the spouse that, if the spouse fails to appear as ordered for any hearing related to the motion and order to show cause or the adoption petition, the court, without further notice and in the spouse's absence, may take any action that is authorized by law, including but not limited to entering a judgment of nonparentage on the date specified in the order or on a future date, without the consent of the spouse.

(10)(a) Upon receiving the petitioner's declaration of compliance under subsection (4)(c) of this section, the court shall review the petitioner's statements and documentation and order that the adoption may proceed if the court finds that the petitioner satisfied the inquiry requirements under ORS 419B.636 (2) and, if applicable, the notice requirements under ORS 419B.639 (2).

(b) If the court finds that the petitioner failed to satisfy the inquiry or, if applicable, notice requirements under ORS 419B.636 (2) and 419B.639 (2), or if the documentation is insufficient for the court to make those findings, the court shall direct the petitioner to cure the inquiry or notice deficiency and file an amended declaration of compliance. The court shall order the petitioner to appear and show cause why the court should not deny the motion and order to show cause if the petitioner fails to file the amended declaration of compliance within a reasonable amount of time.

(11)(a) If a spouse fails to file a written answer as required in subsection (7) of this section or fails to appear for a hearing related to the motion and order to show cause or the petition as directed by court order under this section, the court, without further notice to the spouse and in the spouse's absence, may take any action that is authorized by law, including but not limited to entering a judgment of nonparentage.

(b) Notwithstanding paragraph (a) of this subsection, the court may not enter a judgment of nonparentage unless the court finds that the petitioner complied with the inquiry requirements under ORS 419B.636 (2).

(12) If the child is an Indian child:

(a) The court may not enter a judgment of nonparentage with the consent of the spouse unless:

(A) The consent clearly sets out the conditions to the consent, if any;

(B) Prior to the execution of the consent, the court explains to the spouse, on the record in detail and in the language of the spouse, the spouse's right to legal counsel, the terms and consequences of the consent and that the spouse may withdraw the consent at any time prior to the entry of a judgment of adoption or readoption under ORS 109.350;

(C) The spouse executes the consent in person before the court not less than 10 days following the date of the Indian child's birth; and

(D) After the spouse executes the consent, the court certifies that the court provided the explanation in the manner required under subparagraph (B) of this paragraph and that the spouse fully understood the explanation.

(b) Notwithstanding subsection (9) or (11) of this section, the court may not enter a judgment of nonparentage without the consent of the spouse unless:

(A) The court has offered to order mediation through the Department of Human Services, or, if there is mutual party agreement to private mediation and to the party assumption of costs, through other mediation services, between the petitioner, spouse, Indian child's tribe and, if applicable, the proposed adoptive placement;

(B) If requested by the tribe, an agreement is in place that requires the petitioner or, if applicable, the proposed adoptive placement to maintain connection between the Indian child and the Indian child's tribe; and

(C) The court finds that:

(i) The petitioner complied with the notice requirements as required under ORS 419B.639 (2);

(ii) Despite petitioner's active efforts, evidence, including the testimony of one or more qualified expert witnesses under ORS 419B.642, establishes beyond a reasonable doubt that the continued custody of the Indian child by the spouse is likely to result in serious emotional or physical damage to the Indian child and that the petitioner's active efforts under ORS 419B.645 to reunite the Indian family did not eliminate the necessity for termination of the spouse's parental rights based on serious emotional or physical damage to the Indian child; and

(iii) That the adoptive placement complies with the placement preferences under ORS 419B.654 (2) or, if not, a finding upon the petitioner's motion under ORS 419B.654 (3) that good cause exists for placement contrary to the placement preferences in ORS 419B.654 (2).

(c) The evidence under paragraph (b)(C)(ii) of this subsection must show a causal relationship between the particular conditions in the Indian child's home and the likelihood that the spouse's continued custody will result in serious emotional or physical damage to the Indian child who is the subject of the adoption proceeding. Evidence that shows the existence of community or family poverty, isolation, single parenthood, custodian age, crowded or inadequate housing, substance abuse or nonconforming social behavior does not, by itself, establish a causal relationship as required by this paragraph.

(13) There shall be sufficient proof to enable the court to grant the relief sought without notice to the spouse if:

(a) The affidavit of the parent who gave birth to the child, of the spouse of the parent who gave birth to the child or of another person with knowledge of the facts filed in the proceeding states or the court finds from other competent evidence:

(A) That the parent who gave birth to the child was not cohabiting with the spouse of the parent who gave birth to the child at the time of conception of the child and that the spouse is not the parent of the child;

(B) That the spouse has not been judicially determined to be the parent of the child **or the spouse has signed an effective denial of parentage**;

(C) That the child has not resided with the spouse; and

(D) That the spouse has not contributed or tried to contribute to the support of the child; and

(b) The court finds by clear and convincing evidence, after due diligence on the part of the petitioner, that the child is not an Indian child.

(14) Notwithstanding ORS 109.070 (1)(a), service of a summons and a motion and order to show cause on the spouse under subsection (3) of this section is not required and the spouse's consent, authorization or waiver is not required in adoption proceedings concerning the child unless the child is an Indian child or the spouse has met the requirements of subsection (3)(b)(A), (B) or (C) of this section.

(15) A spouse who was not cohabiting with the parent who gave birth to the child at the time of the child's conception has the primary responsibility to protect the spouse's rights.

(16) Nothing in this section may be used to set aside an act of a permanent nature, including but not limited to adoption, unless the parent establishes, within one year or, if the child is an Indian child, four years after the entry of the order or general judgment, as defined in ORS 18.005, fraud on the part of the petitioner with respect to the matters specified in subsection (13)(a) of this section.

(17) If the child is an Indian child, the child's tribe or Indian custodian may intervene at any time as a matter of right.

SECTION 19. ORS 419B.395 is amended to read:

419B.395. (1) If in any proceeding under ORS 419B.100 or 419B.500 the juvenile court determines that the child or ward has fewer than two legal parents or that parentage is disputed as allowed in ORS 109.070 **or section 6 of this 2025 Act**, the court may enter a judgment of parentage or a judgment of nonparentage in compliance with the provisions of ORS 109.065, 109.070, 109.124 to 109.230, [*109.250 to 109.262,*] 109.326 and 419B.609 **and sections 6 and 39 to 51 of this 2025 Act**.

(2) [*Before entering a judgment under subsection (1) of this section, the court shall*] **The court may not enter a judgment under subsection (1) of this section unless the court**:

(a) [*Determine*] **Determines** that the inquiry requirements under ORS 419B.636 (2), to determine whether the child is an Indian child, have been satisfied;

(b) [*Make*] **Makes** a finding regarding whether the child is an Indian child, subject to the procedures under ORS 419B.636 (4); and

(c) [*Find*] **Finds** that adequate notice and an opportunity to be heard was provided to:

(A) The parties to the proceeding;

(B) The person alleged or claiming to be the child or ward's parent;

(C) The Administrator of the Division of Child Support of the Department of Justice or the branch office providing support services to the county in which the court is located; and

(D) If the child is an Indian child, the child's Indian custodian and tribe, together with the notice of proceeding in the form required under ORS 419B.639 (2).

(3) When appropriate, the court shall inform a person before the court claiming to be the parent of a child or ward that parentage establishment services may be available through the administrator if the child or ward:

(a) Is a child born out of wedlock;

(b) Has not been placed for adoption; and

(c) Has fewer than two legal parents.

(4) As used in this section:

(a) "Administrator" has the meaning given that term in ORS 25.010.

(b) "Child born out of wedlock" has the meaning given that term in ORS 109.124.

(c) "Legal parent" has the meaning given that term in ORS 419A.004.

SECTION 20. ORS 419B.609 is amended to read:

419B.609. (1) A man's parentage of an Indian child is acknowledged or established for purposes of ORS 109.266 to 109.410 and 419B.600 to 419B.654 and ORS chapter 419B if the man's parentage has been:

(a) Established under ORS 109.065;

(b) Established under tribal law;

(c) Recognized in accordance with tribal custom; or

(d) Subject to subsection (2) of this section, acknowledged orally or in writing by the man to the court, to the Department of Human Services or to an Oregon licensed adoption agency.

(2)(a) If a man acknowledges [*paternity*] **parentage** of an Indian child as provided in subsection (1)(d) of this section **to the department or an adoption agency**, the department or the adoption agency must notify the court of the man's acknowledgment immediately or, if a matter is not yet pending in this state, immediately upon filing a petition or being served with a copy of a petition alleging that the child is within the jurisdiction of the court under ORS 109.276 or 419B.100.

(b) No later than 30 days after receiving the man's oral or written acknowledgment under subsection (1)(d) of this section or receiving notice under paragraph (a) of this subsection of the man's acknowledgment, the court shall order [*blood tests*] **genetic testing**, subject to the provisions of [*ORS 109.252*] **section 41 of this 2025 Act**.

(c) If any person fails to comply with the court's order for [*blood tests*] **genetic testing** within a reasonable amount of time, the court shall consider the person to have refused to submit to the test for the purposes of [*ORS 109.252*] **section 41 of this 2025 Act**.

(d) If the [*blood tests*] **genetic testing** ordered under paragraph (b) of this subsection [*do*] **does** not confirm the man's [*paternity*] **parentage** as provided in [*ORS 109.258*] **section 45 of this 2025 Act**, or if the man has refused to consent to the [*blood tests*] **genetic testing**, the man's parentage has not been acknowledged or established for purposes of subsection (1) of this section.

(3) As used in this section, "genetic testing" has the meaning given that term in section 2 of this 2025 Act.

SECTION 21. ORS 432.093 is amended to read:

432.093. **(1)** Any health care facility as defined in ORS 442.015 shall make available to the [*biological parents*] **parent who gave birth to a child and the alleged genetic parent** of any child born live or expected to be born in the health care facility, a voluntary acknowledgment of [*paternity*] **parentage** form when the facility has reason to believe that the [*mother of the child*] **parent who gave birth to the child** is unmarried.

(2) The responsibility of the health care facility is limited to providing the form and submitting the form with the report of live birth to the State Registrar of the Center for Health Statistics. The [*biological parents*] **parent who gave birth to the child and the child's alleged genetic parent** are responsible for ensuring that the form is accurately completed.

(3) This form shall be as prescribed by ORS 432.098.

SECTION 22. ORS 432.093, as amended by section 21 of this 2025 Act, is amended to read:

432.093. (1) Any health care facility as defined in ORS 442.015 shall make available to the parent who gave birth to a child and the alleged genetic parent**, presumed parent or intended parent** of any child born live or expected to be born in the health care facility, a voluntary acknowledgment of parentage form when the facility has reason to believe that**:**

(a) The parent who gave birth to the child is unmarried**;**

(b) The parent who gave birth to the child is married but the alleged genetic parent of the child is not the spouse of the parent who gave birth to the child; or

(c) The child was conceived by assisted reproduction, other than under a surrogacy agreement.

(2) The responsibility of the health care facility is limited to providing the form and submitting the form with the report of live birth to the State Registrar of the Center for Health Statistics. The parent who gave birth to the child and the child's alleged genetic parent**, presumed parent or intended parent** are responsible for ensuring that the form is accurately completed.

(3) This form shall be as prescribed by ORS 432.098.

SECTION 23. ORS 432.098 is amended to read:

432.098. [*(1) The Director of the Oregon Health Authority shall adopt by rule a form of a voluntary acknowledgment of paternity that includes the minimum requirements specified by the United States Secretary of Health and Human Services. When the form is signed by both biological parents and witnessed by a third party, the form establishes parentage for all purposes when filed with the State Registrar of the Center for Health Statistics, provided there is no second parent already named in the report of live birth. Establishment of parentage under this section is subject to the provisions and the requirements in ORS 109.070.*]

(1)(a) The State Registrar of the Center for Health Statistics shall adopt by rule forms for the voluntary acknowledgment of parentage. A valid acknowledgment of parentage is not affected by a later modification of the form. The form must include the minimum requirements specified by the Secretary of the United States Department of Health and Human Services and be consistent with the requirements under ORS 109.070 and this section.

(b) [*When*] **If** there is no second parent named on the child's record of live birth, the filing of [*such*] **a** voluntary acknowledgment of [*paternity*] **parentage** form shall cause the state registrar to place the name of the parent [*who has signed the voluntary acknowledgment of paternity form*] **acknowledging parentage** on the record of live birth of the child or, if appropriate, establish a replacement for the record containing the name of the child's parent, as that parent is named in the voluntary acknowledgment of [*paternity*] **parentage** form. [*When signed by both parents in the health care facility of the child's birth within five days after the birth, the voluntary acknowledgment of paternity form is not a sworn document. When thus signed, a staff member of the health care facility shall witness the signatures of the parents. In all other circumstances, the form is a sworn document.*]

(c) The state registrar may charge a fee for the filing of the voluntary acknowledgment of [*paternity*] **parentage** form created by this section [*is subject to the payment of any fees that may apply*].

(d) A voluntary acknowledgment of parentage takes effect upon the filing of the form with the state registrar.

[*(2) The voluntary acknowledgment of paternity form must contain:*]

[*(a) A statement of rights and responsibilities including any rights afforded to a minor parent;*]

[*(b) A statement of the alternatives to and consequences of signing the acknowledgment;*]

[*(c) Instructions on how to file the form with the state registrar and information about any fee required;*]

[*(d) Lines for the Social Security numbers and addresses of the parents; and*]

[*(e) A statement that the rights, responsibilities, alternatives and consequences listed on the acknowledgment were read to the parties prior to signing the acknowledgment.*]

[*(3)*] **(2)(a) Notwithstanding paragraph (b)(C) of this subsection,** upon request, the state registrar shall provide [*a copy of any*] **information relating to a** voluntary acknowledgment [*of paternity form*] **of parentage** to the state agency responsible for administration of the child support enforcement program created under Title IV-D of the Social Security Act. The duty imposed upon the state registrar by this section is limited to **information relating to** records of live birth executed and filed with the state registrar after October 1, 1995.

(b) The state registrar may release information relating to an acknowledgment of parentage to:

(A) A party to the acknowledgment;

(B) A court; or

(C) Subject to ORS 432.350, a government agency.

(3) If a voluntary acknowledgment of parentage is rescinded as provided in ORS 109.070, upon receipt of the rescission, the state registrar shall notify:

(a) The parent who gave birth to the child; and

(b) The Department of Human Services if the child is in the care and custody of the department and the department has requested such notification.

(4)(a) The state registrar is not required to verify the validity of a rescission received under subsection (3) of this section.

(b) The state registrar is not required to make the notifications described in subsection (3) of this section if the state registrar reasonably believes that the rescission is invalid.

(c) Failure of the state registrar to make the notifications described in subsection (3) of this section does not affect the validity of a rescission.

SECTION 24. ORS 432.098, as amended by section 23 of this 2025 Act, is amended to read:

432.098. (1)(a) The State Registrar of the Center for Health Statistics shall adopt by rule forms for the voluntary acknowledgment **or denial** of parentage. **The voluntary acknowledgment of parentage and denial of parentage forms may be contained in a single document or may be in counterparts.** A valid acknowledgment of parentage **or denial** of parentage is not affected by a later modification of the [*form*] **forms**. The [*form*] **forms** must include the minimum requirements specified by the Secretary of the United States Department of Health and Human Services and be consistent with the requirements under ORS 109.070 and this section.

(b) If there is no second parent named on the child's record of live birth, the filing of a voluntary acknowledgment of parentage form shall cause the state registrar to place the name of the parent acknowledging parentage on the record of live birth of the child or, if appropriate, establish a replacement for the record containing the name of the child's parent, as that parent is named in the voluntary acknowledgment of parentage form.

(c) If there is a second parent already named in the report of live birth, a voluntary acknowledgment of parentage form filed under this subsection must include a denial of parentage form signed by the second parent listed in the report of live birth and the parent who gave birth to the child. The filing of the voluntary acknowledgment of parentage form, together with the denial of parentage form, shall cause the state registrar to establish a replacement for the record of live birth of a child, replacing the name of the individual denying parentage with the name of the individual acknowledging parentage.

[*(c)*] **(d)** The state registrar may charge a fee for the filing of the voluntary acknowledgment of parentage form **or denial of parentage form** created by this section.

(e) A voluntary acknowledgment or denial of parentage form may be signed before or after the birth of the child. A voluntary acknowledgment **or denial** of parentage takes effect [*upon*] **on the later of the birth of the child or** the filing of the form with the state registrar. **If a voluntary acknowledgment of parentage form and a denial of parentage form are both required under this subsection, neither is effective until both are filed with the state registrar.**

(2)(a) Notwithstanding paragraph (b)(C) of this subsection, upon request, the state registrar shall provide information relating to a voluntary acknowledgment of parentage **and, if applicable, denial of parentage** to the state agency responsible for administration of the child support enforcement program created under Title IV-D of the Social Security Act. The duty imposed upon the state registrar by this section is limited to information relating to records of live birth executed and filed with the state registrar after October 1, 1995.

(b) The state registrar may release information relating to an acknowledgment **or denial of** parentage to:

(A) A party to the acknowledgment **or denial**;

(B) A court; or

(C) Subject to ORS 432.350, a government agency.

(3) If a voluntary acknowledgment of parentage **or denial of parentage** is rescinded as provided in ORS 109.070[,]**:**

(a) Upon receipt of the rescission, the state registrar shall notify:

[*(a)*] **(A)** The parent who gave birth to the child; and

[*(b)*] **(B)** The Department of Human Services if the child is in the care and custody of the department and the department has requested such notification.

(b) Upon receipt of a rescission of an acknowledgment of parentage, the state registrar shall notify the individual who signed an associated denial, if any, of the rescission and that the denial may be invalid.

(c) Upon receipt of a rescission of a denial of parentage the state registrar shall notify the individual who acknowledged parentage of the rescission and that the acknowledgment may be invalid.

(4)(a) The state registrar is not required to verify the validity of a rescission received under subsection (3) of this section.

(b) The state registrar is not required to make the notifications described in subsection (3) of this section if the state registrar reasonably believes that the rescission is invalid.

(c) Failure of the state registrar to make the notifications described in subsection (3) of this section does not affect the validity of a rescission.

SECTION 25. ORS 432.245 is amended to read:

432.245. (1) For a person born in this state, the State Registrar of the Center for Health Statistics shall amend a record of live birth and establish a replacement for the record of live birth if the state registrar receives one of the following:

(a) A report of adoption as provided in ORS 432.223 or a certified copy of the judgment of adoption from a court of competent jurisdiction, with the information necessary to identify the original record of live birth and to establish a replacement for the record of live birth, unless the court ordering the adoption requests that a replacement for the record of live birth not be established;

(b) A request that a replacement for the record of live birth be prepared to establish parentage, as prescribed by the state registrar by rule, or as ordered by a court of competent jurisdiction that has [*determined the parentage or biological paternity of a person*] **adjudicated a person's parentage of a child**;

(c) A written and notarized request that a replacement for the record of live birth be prepared to establish parentage, if the request includes an acknowledgment [*of paternity signed by both biological parents*] **of parentage signed by the parent who gave birth to the child and the child's alleged genetic parent**;

(d) A certified copy of a judgment from a court of competent jurisdiction changing a person's sex and, if applicable, name; or

(e) A request approved by the state registrar under ORS 432.235 (3)(b)(B).

(2) To change a person's name under subsection (1) of this section, the request or court order must include both the name that appears on the record of live birth at the time of the request and the name to be designated on the replacement for the record of live birth. The designated name of the person must appear on the replacement for the record of live birth.

(3) Upon receipt of a certified copy of a court order to change the name of a person born in this state as authorized by 18 U.S.C. 3521 et seq., the state registrar shall create a replacement for the record of live birth to show the new information as specified in the court order.

(4) When a replacement for a record of live birth is prepared, the city, county and date of live birth must be included in the replacement for the record of live birth. The replacement for the record of live birth must be substituted for the original record of live birth. The original record of live birth and all evidence submitted with the request or court order for the replacement for the record of live birth must be placed under seal and is not subject to inspection, except upon the order of a court of competent jurisdiction in this state or as provided by rule of the state registrar.

(5) Upon receipt of an amended judgment of adoption, the record of live birth shall be amended by the state registrar as provided by the state registrar by rule.

(6) Upon receipt of a report of annulment of adoption or a court order annulling an adoption, the original record of live birth must be restored. The replacement for the record of live birth is not subject to inspection, except upon the order of a court of competent jurisdiction in this state or as provided by rule of the state registrar.

(7) The state registrar shall prepare and register a record of foreign live birth for a person born in a foreign country who is not a citizen of the United States and for whom a judgment of adoption was issued by a court of competent jurisdiction in this state if the court, the parents adopting the child or the adopted person, if the adopted person is 18 years of age or older, requests the record. The record must be labeled "Record of Foreign Live Birth" and shall show the actual country of live birth. After registering the record of foreign live birth in the new name of the adopted person, the record must be placed under seal and is not subject to inspection, except upon the order of a court of competent jurisdiction or as provided by rule of the state registrar.

(8) If there is no record of live birth for a person for whom a replacement for the record of live birth is sought under this section, and if the court order indicates a date of live birth more than one year from the date submitted to the Center for Health Statistics, the replacement for the record of live birth must be created as a delayed record of live birth.

(9) A replacement for the record of live birth may not be created under this section if the date and place of live birth have not been indicated in the court order.

SECTION 26. ORS 432.245, as amended by section 25 of this 2025 Act, is amended to read:

432.245. (1) For a person born in this state, the State Registrar of the Center for Health Statistics shall amend a record of live birth and establish a replacement for the record of live birth if the state registrar receives one of the following:

(a) A report of adoption as provided in ORS 432.223 or a certified copy of the judgment of adoption from a court of competent jurisdiction, with the information necessary to identify the original record of live birth and to establish a replacement for the record of live birth, unless the court ordering the adoption requests that a replacement for the record of live birth not be established;

(b) A request that a replacement for the record of live birth be prepared to establish parentage, as prescribed by the state registrar by rule, or as ordered by a court of competent jurisdiction that has adjudicated a person's parentage of a child;

(c) A written and notarized request that a replacement for the record of live birth be prepared to establish parentage, if the request includes an acknowledgment **and, if applicable, denial** of parentage signed by the parent who gave birth to the child and the child's alleged genetic parent**, presumed parent or, if the child was conceived by assisted reproduction, other than under a surrogacy agreement, intended parents**;

(d) A certified copy of a judgment from a court of competent jurisdiction changing a person's sex and, if applicable, name; or

(e) A request approved by the state registrar under ORS 432.235 (3)(b)(B).

(2) To change a person's name under subsection (1) of this section, the request or court order must include both the name that appears on the record of live birth at the time of the request and the name to be designated on the replacement for the record of live birth. The designated name of the person must appear on the replacement for the record of live birth.

(3) Upon receipt of a certified copy of a court order to change the name of a person born in this state as authorized by 18 U.S.C. 3521 et seq., the state registrar shall create a replacement for the record of live birth to show the new information as specified in the court order.

(4) When a replacement for a record of live birth is prepared, the city, county and date of live birth must be included in the replacement for the record of live birth. The replacement for the record of live birth must be substituted for the original record of live birth. The original record of live birth and all evidence submitted with the request or court order for the replacement for the record of live birth must be placed under seal and is not subject to inspection, except upon the order of a court of competent jurisdiction in this state or as provided by rule of the state registrar.

(5) Upon receipt of an amended judgment of adoption, the record of live birth shall be amended by the state registrar as provided by the state registrar by rule.

(6) Upon receipt of a report of annulment of adoption or a court order annulling an adoption, the original record of live birth must be restored. The replacement for the record of live birth is not subject to inspection, except upon the order of a court of competent jurisdiction in this state or as provided by rule of the state registrar.

(7) The state registrar shall prepare and register a record of foreign live birth for a person born in a foreign country who is not a citizen of the United States and for whom a judgment of adoption was issued by a court of competent jurisdiction in this state if the court, the parents adopting the child or the adopted person, if the adopted person is 18 years of age or older, requests the record. The record must be labeled "Record of Foreign Live Birth" and shall show the actual country of live birth. After registering the record of foreign live birth in the new name of the adopted person, the record must be placed under seal and is not subject to inspection, except upon the order of a court of competent jurisdiction or as provided by rule of the state registrar.

(8) If there is no record of live birth for a person for whom a replacement for the record of live birth is sought under this section, and if the court order indicates a date of live birth more than one year from the date submitted to the Center for Health Statistics, the replacement for the record of live birth must be created as a delayed record of live birth.

(9) A replacement for the record of live birth may not be created under this section if the date and place of live birth have not been indicated in the court order.

ADJUDICATION OF PARENTAGE, GENERALLY

SECTION 27. Section 28 of this 2025 Act and ORS 109.231 are added to and made a part of ORS 109.124 to 109.230.

SECTION 28. UPA 614. Precluding establishment of parentage of child conceived by rape. (1) As used in this section, "rape" means the commission of an act constituting rape under ORS 163.355, 163.365 or 163.375 or other comparable law of another jurisdiction.

(2) A court with jurisdiction to adjudicate a child's parentage may adjudicate an individual's nonparentage of the child as provided in this section if:

(a) The parent who gave birth to the child petitions the court for an adjudication of nonparentage;

(b) The parent who gave birth to the child alleges that the child was conceived in the course of an act committed by the individual constituting rape; and

(c)(A) The court finds that the child was conceived as a result of an act that led to the individual's conviction for rape; or

(B) If the individual has not been convicted for rape, the court determines by clear and convincing evidence that the child was conceived as a result of an act constituting rape that was committed by the individual when the individual was at least 18 years of age.

(3) The court may not adjudicate an individual's nonparentage of a child under this section if:

(a) The court determines by clear and convincing evidence that the individual is less than three years older than the parent who gave birth to the child and the child was conceived as a result of an act constituting third degree rape as defined in ORS 163.355 or second degree rape as defined in ORS 163.365, or comparable law of another jurisdiction;

(b) The individual is an adjudicated parent of the child; or

(c) The court finds, by clear and convincing evidence, that after the birth of the child, the individual established a bonded and dependent relationship with the child that is parental in nature.

(4) If the court adjudicates an individual's nonparentage of a child under this section, the court shall:

(a) Require the State Registrar for the Center for Health Statistics to amend the record of live birth if requested by the parent who gave birth to the child and if the court determines that the amendment is in the child's best interests, taking into consideration the factors described in section 54 of this 2025 Act; and

(b) Require the individual to pay child support during the child's minority and while the child is a child attending school the reasonable and necessary expenses incurred or to be incurred in connection with prenatal care and expenses attendant with the birth and postnatal care unless, at the request of the parent who gave birth to the child, the court determines that requiring the individual to pay such amounts is not in the child's best interests, taking into consideration the factors described in section 54 of this 2025 Act.

SECTION 29. ORS 109.124 is amended to read:

109.124. As used in ORS 109.124 to 109.230, unless the context requires otherwise:

(1) "Child attending school" has the meaning given that term in ORS 107.108.

(2) "Child born out of wedlock" means a child born to an unmarried person or to a married person by another person who is not the person's spouse.

(3) "Respondent" may include, but is not limited to, one or more [*persons who may be the father of a child born out of wedlock, the spouse of a woman who has or may have a child born out of wedlock, the mother of a child born out of wedlock, the person pregnant with a child who may be born out of wedlock, or*] **of the following persons:**

(a) A child's alleged genetic parent;

(b) A child's presumed parent;

(c) The person who gave or will give birth to the child, if the child was conceived by assisted reproduction under a gestational surrogacy agreement;

(d) The parent who gave or will give birth to the child;

(e) The child's intended parent, if the child was conceived by assisted reproduction, other than under a gestational surrogacy agreement; or

(f) The duly appointed and acting guardian of the child or conservator of the child's estate.

SECTION 30. ORS 109.125 is amended to read:

109.125. (1)**(a) Except as provided in paragraphs (b) to (d) of this subsection,** any of the following may initiate **judicial** proceedings [*under this section*] **under ORS 109.124 to 109.230 to adjudicate the parentage of a child**:

[*(a)*] **(A)** [*A mother of a child born out of wedlock or a woman pregnant with a child who may be born out of wedlock*] **The parent who gave or will give birth to the child, unless a court has adjudicated that person's nonparentage of the child**;

[*(b)*] **(B)** The duly appointed and acting guardian of the child, conservator of the child's estate or a guardian ad litem, if the guardian or conservator has the physical custody of the child or is providing support for the child;

[*(c)*] **(C)** The administrator, as defined in ORS 25.010;

[*(d)*] **(D)** [*A man claiming to be the father of a child born out of wedlock or of an unborn child who may be born out of wedlock*] **The child's alleged genetic parent**; [*or*]

[*(e)*] **(E)** [*The minor child by a guardian ad litem.*] **The child;**

(F) The child's presumed parent or acknowledged parent; or

(G) The child's intended parent if the child was conceived by assisted reproduction, other than under a gestational surrogacy agreement.

(b) If the parent who gave or will give birth to the child is married to and cohabiting with the child's presumed parent or acknowledged parent under ORS 109.070 (1)(a)(B), the proceeding may be initiated only:

(A) By the parent who gave or will give birth to the child or the child's presumed parent or acknowledged parent; or

(B) With the consent of both the parent who gave or will give birth to the child and the child's presumed parent or acknowledged parent.

(c) If the proceeding is commenced to challenge an acknowledgment of parentage, the proceeding may be initiated only by those persons with standing under ORS 109.070 (6) to

challenge a voluntary acknowledgment of parentage.

(d) If the proceeding is commenced to adjudicate the parentage of an intended parent of a child conceived by assisted reproduction, other than under a surrogacy agreement, the proceeding may be commenced only by those persons with standing under section 55 of this 2025 Act to commence a proceeding to adjudicate the parentage of a child conceived by assisted reproduction, other than under a surrogacy agreement.

(2)(a) Unless the child initiates the proceeding, the proceeding must be initiated before the child attains 18 years of age.

(b) If the child has a presumed parent, a proceeding initiated under ORS 109.124 to 109.230 is subject to sections 6 and 59 of this 2025 Act and ORS 109.326, as applicable.

(c) If the child has an acknowledged parent, a proceeding initiated under ORS 109.124 to 109.230 is subject to ORS 109.070.

[*(2)*] **(3)** [*Proceedings*] **The proceeding** shall be initiated by the filing of a duly verified petition of the initiating party. The petition [*shall*] **must** contain:

(a) If the initiating party is one of those specified in subsection [*(1)(a), (b), (c) or (e)*] **(1)(a)(A), (B), (C), (E), (F) or (G)** of this section:

(A) The name of the [*mother of the child born out of wedlock or the person pregnant with a child who may be born out of wedlock*] **parent who gave or will give birth to the child**;

(B) The name of the [*mother's spouse if the child is alleged to be a child born to a married person and a man other than the mother's spouse*] **child's presumed parent, alleged genetic parent or intended parent, if any**;

(C) Facts showing the petitioner's status to initiate proceedings;

(D) A statement that a respondent is**:**

(i) The [*father*] **child's alleged genetic parent, presumed parent or intended parent**; **or**

(ii) The parent who gave or will give birth to the child;

(E) The probable time or period of time during which conception took place **or, if the child was conceived by assisted reproduction, the date of the transfer resulting in the child's conception**; and

(F) A statement of the specific relief sought.

(b) If the initiating party is [*a man specified in subsection (1)(d) of this section*] **the child's alleged genetic parent**:

(A) The name of the [*mother of the child born out of wedlock or the person pregnant with a child who may be born out of wedlock*] **parent who gave or will give birth to the child or, if the child is alleged under section 70 (3) of this 2025 Act to be the genetic child of the person who gave birth to the child, the name of the person who gave birth to the child**;

(B) The name of the [*mother's spouse if the child is alleged to be a child born to a married and a man other than the mother's spouse*] **child's presumed parent, if any**;

(C) A statement that the initiating party**:**

(i) Is the [*father of the child*] **child's genetic parent;**

(ii) If the child was conceived by assisted reproduction, is not a donor; and

(iii) Accepts the same responsibility for the support and education of the child and for all pregnancy-related expenses that [*he would have if the child were born to him in lawful wedlock*] **the initiating party would have responsibility for if the initiating party was married to the parent who gave or will give birth to the child**;

(D) The probable time or period of time during which conception took place **or, if the child was conceived by assisted reproduction, the date of the transfer resulting in the child's conception**; and

(E) A statement of the specific relief sought.

[*(3)*] **(4)** [*When*] **The following individuals are necessary parties to proceedings initiated under this section:**

(a) An individual whose parentage of the child has been established under ORS 109.065;

(b) The person who gave birth to the child, if the child is alleged to be the genetic child of the person under section 70 (3) of this 2025 Act; and

(c) The state, the parent who gave or will give birth to the child and the child's alleged genetic parent if proceedings are initiated by the administrator, as defined in ORS 25.010[*, the state and the child's mother and putative father are parties*].

[*(4)*] **(5)** When a proceeding is initiated under this section [*and*]**, the petitioner shall serve a true copy of the petition by first class mail or personal delivery on:**

(a) The person who gave birth to the child if the child is alleged to be the genetic child of the person under section 70 (3) of this 2025 Act;

(b) Each individual whose parentage of the child has been established under ORS 109.065;

(c) The individual whose parentage of the child is to be adjudicated; and

(d) If the child support rights of one of the parties or of the child at issue have been assigned to the state, [*a true copy of the petition shall be served by mail or personal delivery on*] the Administrator of the Division of Child Support of the Department of Justice or on the branch office providing support services to the county in which the suit is filed.

[*(5) A person whose parentage of a child has been established under ORS 109.065 is a necessary party to proceedings initiated under this section unless the parentage has been disestablished before the proceedings are initiated.*]

(6) Notwithstanding subsection (4) or (5) of this section, an individual whose parentage has been disestablished or declared not to exist or

whose nonparentage of the child has been adjudicated before the proceedings are initiated is not a necessary party to the proceedings and is not entitled to notice of the proceedings.

(7) An individual entitled to notice under subsection (5) of this section has a right to intervene in the proceeding.

SECTION 31. ORS 109.135 is amended to read:

109.135. (1) All [*filiation*] **judicial** proceedings **to adjudicate parentage of a child** shall be commenced in the circuit court and shall for all purposes be deemed actions in equity. Unless otherwise specifically provided by statute, the proceedings shall be conducted pursuant to the Oregon Rules of Civil Procedure**, including a proceeding adjudicating parentage that is consolidated with another proceeding under section 101 of this 2025 Act or ORS 419B.806**.

(2) [*All filiation proceedings*] **A judicial proceeding to adjudicate the parentage of a child** shall be commenced and tried**, without a jury,** in the county**:**

(a) Where [*either party or*] the child resides[.]**;**

(b) If the child does not reside in this state, where the respondent resides or is located;

(c) If the parent who gave birth to the child or the child's alleged genetic parent, acknowledged parent, presumed parent or intended parent is deceased, where the estate of the deceased individual is being administered;

(d) If the child was conceived by assisted reproduction, including under a surrogacy agreement, of the petitioner's choice; or

(e) If the child is in the care and custody of the Department of Human Services, where a juvenile court proceeding is pending.

(3) If judicial proceedings in which the parentage of the same child is at issue are commenced in more than one county, the proceedings shall be stayed except in the county where first commenced until final determination there of venue. A proceeding is considered commenced for purposes of this subsection by the filing of a petition. In determining venue, if the court finds that transfer to another county where a proceeding has been commenced is in the child's best interest, it may in its discretion order such transfer. When the court enters an order transferring the proceeding to another county, the clerk of the court shall notify the court for the other county of the order, and the court for the other county has exclusive jurisdiction of the proceeding to the same extent and with like effect as though the proceeding were in the court on original jurisdiction.

SECTION 32. ORS 109.145 is amended to read:

109.145. If a respondent fails to answer or fails to appear at trial, the court shall have the power to proceed accordingly. In such case, the court may [*make a determination of parentage*] **adjudicate the respondent's parentage or nonparentage of the child** and may impose such obligations on the respondent as it deems reasonable. In all such cases corroborating evidence in addition to the testimony of the parent or expectant parent shall be required to establish parentage and the court may, in its discretion, order such investigation or the production of such evidence as it deems appropriate to establish a proper basis for relief. The testimony of the parent or expectant parent and the corroborating evidence may be presented by affidavit.

SECTION 33. ORS 109.155 is amended to read:

109.155. (1) The court, in a private hearing, shall first determine the issue of parentage. If the respondent admits the parentage, the admission shall be reduced to writing, verified by the respondent and filed with the court. If the parentage is denied, corroborating evidence, in addition to the testimony of the [*parent or expectant parent*] **parent who gave birth to the child**, shall be required.

[*(2) If the court finds, from a preponderance of the evidence, that the petitioner or the respondent is the father of the child who has been, or who may be born out of wedlock, the court shall then proceed to a determination of the appropriate relief to be granted. The court may approve any settlement agreement reached between the parties and incorporate the agreement into any judgment rendered, and the court may order such investigation or the production of such evidence as the court deems appropriate to establish a proper basis for relief.*]

[*(3)*] **(2)** The court, in its discretion, may postpone the hearing from time to time to facilitate any investigation or the production of such evidence as it deems appropriate.

(3)(a) Except as provided in section 28 of this 2025 Act and ORS 419B.609, if the parent who gave birth to the child is the only other person with a claim to parentage of the child, the court shall adjudicate an alleged genetic parent to be a parent of the child if the alleged genetic parent:

(A) Is identified under section 45 of this 2025 Act as a genetic parent of the child and the identification has not been successfully challenged under section 45 of this 2025 Act;

(B) Admits parentage in a pleading, during the hearing as provided in subsection (1) of this section, when making an appearance or in a settlement agreement in the proceeding, and the court accepts the admission;

(C) Declines to submit to genetic testing ordered by the court or the administrator, even if the alleged genetic parent denies a genetic relationship with the child;

(D) Is in default after service of process and the court determines the alleged genetic parent to be a parent of the child as provided in ORS 109.145; or

(E) Is neither identified nor excluded as a genetic parent by genetic testing and, based on other evidence, the court determines the alleged genetic parent to be a parent of the child.

(b) If a person other than the parent who gave birth to the child or the alleged genetic parent has a claim to parentage of the child and the person's parentage was not disestablished before the proceeding was commenced, the court may not adjudicate an alleged genetic parent to be a parent of the child unless the court also disestablishes the person's parentage of the child as provided in and under the applicable provisions of ORS 109.070, 109.072, 109.326 or 419B.609 or section 6 or 54 of this 2025 Act.

(4) The court may approve a settlement agreement reached between the parties and incorporate the agreement into the judgment.

[*(4)*] **(5)** The court may order either parent to pay such sum as the court deems appropriate for the past and future support and maintenance of the child during the child's minority and while the child is attending school, as defined in ORS 107.108, and the reasonable and necessary expenses incurred or to be incurred in connection with prenatal care, expenses attendant with the birth and postnatal care. The court may grant the prevailing party reasonable costs of suit, which may include expert witness fees, and reasonable attorney fees at trial and on appeal. The provisions of ORS 107.108 apply to an order entered under this section for the support of a child attending school.

[*(5)*] **(6)** An affidavit certifying the authenticity of documents substantiating expenses set forth in subsection [*(4)*] **(5)** of this section is prima facie evidence to establish the authenticity of the documents.

[*(6)(a)*] **(7)(a)** It is the policy of this state:

(A) To encourage the settlement of cases brought under this section; and

(B) For courts to enforce the terms of settlements described in paragraph (b) of this subsection to the fullest extent possible, except when to do so would violate the law or would clearly contravene public policy.

(b) In a proceeding under this section, the court may enforce the terms set forth in a stipulated judgment of parentage signed by the parties, a judgment of parentage resulting from a settlement on the record or a judgment of parentage incorporating a settlement agreement:

(A) As contract terms using contract remedies;

(B) By imposing any remedy available to enforce a judgment, including but not limited to contempt; or

(C) By any combination of the provisions of subparagraphs (A) and (B) of this paragraph.

(c) A party may seek to enforce an agreement and obtain remedies described in paragraph (b) of this subsection by filing a motion, serving notice on the other party in the manner provided by ORCP 7 and, if a remedy under paragraph (b)(B) of this subsection is sought, complying with the statutory requirements for that remedy. All claims for relief arising out of the same acts or omissions must be joined in the same proceeding.

(d) Nothing in paragraph (b) or (c) of this subsection limits a party's ability, in a separate proceeding, to file a motion to set aside, alter or modify a judgment under ORS 109.165 or to seek enforcement of an ancillary agreement to the judgment.

[*(7) If parentage between a person and a child has been established under ORS 109.065 and the parentage has not been disestablished before proceedings are initiated under ORS 109.125, the court may not render a judgment under ORS 109.124 to 109.230 establishing parentage between another person and the child unless the judgment also disestablishes the parentage established under ORS 109.065.*]

(8) The court may enter a judgment under this section before the child's birth but enforcement of the judgment is stayed until the birth of the child and the court shall order one or more of the parties to notify the court of the child's birth.

SECTION 34. ORS 109.165 is amended to read:

109.165. (1) Upon motion of either party **to a judgment entered under ORS 109.155**, the court may set aside, alter or modify any portion of the judgment that provides for the support of the minor child or child attending school, as defined in ORS 107.108. As to any installment or payment of money that has accrued up to the time the nonmoving party, other than the state, is served with a motion to set aside, alter or modify the judgment, the judgment is final and the court may not change it. However, the court may allow a credit against child support arrearages for periods of time, excluding reasonable parenting time unless otherwise provided by order or judgment, during which the obligor, with the knowledge and consent of the obligee or pursuant to court order, has physical custody of the child. A child attending school is a party for purposes of this section.

(2) The moving party shall state in the motion, to the extent known:

(a) Whether there is pending in this state or any other jurisdiction any type of support proceeding involving the child, including a proceeding brought under ORS 25.287, 25.501 to 25.556, 109.100, 125.025 or 419B.400 or ORS chapter 110; and

(b) Whether there exists in this state or any other jurisdiction a support order, as defined in ORS 110.503, involving the child, other than the judgment the party is moving to set aside, alter or modify.

(3) The moving party shall include with the motion a certificate regarding any pending support proceeding and any existing support order other than the judgment the party is moving to set aside, alter or modify. The party shall use a certificate that is in a form established by court rule and include information required by court rule and subsection (2) of this section.

(4)(a) It is the policy of this state:

(A) To encourage the settlement of cases brought under this section; and

(B) For courts to enforce the terms of settlements described in paragraph (b) of this subsection to the fullest extent possible, except when to do so

would violate the law or would clearly contravene public policy.

(b) In a proceeding under subsection (1) of this section, the court may enforce the terms set forth in a stipulated order or judgment signed by the parties, an order or judgment resulting from a settlement on the record or an order or judgment incorporating a settlement agreement:

(A) As contract terms using contract remedies;

(B) By imposing any remedy available to enforce an order or judgment, including but not limited to contempt; or

(C) By any combination of the provisions of subparagraphs (A) and (B) of this paragraph.

(c) A party may seek to enforce an agreement and obtain remedies described in paragraph (b) of this subsection by filing a motion, serving notice on the other party in the manner provided by ORCP 7 and, if a remedy under paragraph (b)(B) of this subsection is sought, complying with the statutory requirements for that remedy. All claims for relief arising out of the same acts or omissions must be joined in the same proceeding.

(d) Nothing in paragraph (b) or (c) of this subsection limits a party's ability, in a separate proceeding, to file a motion to modify an order or judgment under subsection (1) of this section or to seek enforcement of an ancillary agreement to the order or judgment.

SECTION 35. ORS 109.175 is amended to read:

109.175. (1) If parentage of a child born out of wedlock is established pursuant to a petition filed under ORS 109.125 or an order or judgment entered pursuant to ORS 25.501 to 25.556 or 109.124 to 109.230, or if parentage is established by the filing of a voluntary acknowledgment of [*paternity*] **parentage** as provided by ORS 109.065 [*(1)(e)*] **(5)**, the parent with physical custody at the time of filing of the petition or the notice under ORS 25.511, or the parent with physical custody at the time of the filing of the voluntary acknowledgment of [*paternity*] **parentage**, has sole legal custody until a court specifically orders otherwise. The first time the court determines who should have legal custody, neither parent shall have the burden of proving a change of circumstances. The court shall give primary consideration to the best interests and welfare of the child and shall consider all the standards set out in ORS 107.137.

(2) In any proceeding under this section, the court may cause an investigation, examination or evaluation to be made under ORS 107.425 or may appoint an individual or a panel or may designate a program to assist the court in creating parenting plans or resolving disputes regarding parenting time and to assist parents in creating and implementing parenting plans under ORS 107.425 (3).

SECTION 36. ORS 109.225 is amended to read:

109.225. (1) After filing [*the petition*] **a petition described in ORS 109.125 and 109.135**, the petitioner shall cause the Center for Health Statistics of the Oregon Health Authority to be served by mail with a notice setting forth the court in which the petition was filed, the date of the filing therein, the case number, the full name and address of the child, the date and place of the child's birth, or if the child is not yet born, the date and place of the child's conception and the probable date of the child's birth, the full names and addresses of the child's alleged [*parents*] **genetic parent and the parent who gave or will give birth to the child**, and the names and addresses of the petitioner and of the respondents in the proceedings.

(2) The Center for Health Statistics shall file immediately the notice, or a copy thereof, with the record of the birth of the child or in the same manner as its filing of records of birth if the center does not have a record of the birth. The center shall only provide the information contained in the notice to persons whose names appear in the notice or to persons or agencies showing a legitimate interest in the parent-child relationship including, but not limited to, parties to adoption, juvenile court or heirship proceedings.

SECTION 37. ORS 109.230 is amended to read:

109.230. Any contract between [*the mother and father of a child born out of wedlock*] **a parent who gave birth to a child and the child's alleged genetic parent** is a legal contract, and the admission by the [*father of his fatherhood*] **alleged genetic parent of parentage** of the child is sufficient consideration to support the contract.

SECTION 38. ORS 109.231 is amended to read:

109.231. Records of [*filiation*] proceedings **to adjudicate the parentage of a child's alleged genetic parent** filed in circuit court shall be open for inspection by any person without order of the court.

GENETIC TESTING

SECTION 39. UPA 501. Definitions. As used in sections 39 to 51 of this 2025 Act:

(1) "Combined relationship index" means the product of all tested relationship indices.

(2) "Ethnic or racial group" means, for the purpose of genetic testing, a recognized group that an individual identifies as the individual's ancestry or part of the individual's ancestry or that is identified by other information.

(3) "Hypothesized genetic relationship" means an asserted genetic relationship between an individual and a child.

(4) "Probability of parentage" means, for the ethnic or racial group to which an individual alleged to be a parent belongs, the probability that a hypothesized genetic relationship is supported, compared to the probability that a genetic relationship is supported between the child and a random individual of the ethnic or racial group used in the hypothesized genetic relationship, expressed as a percentage incorporating

the combined relationship index and a prior probability.

(5) "Relationship index" means a likelihood ratio that compares the probability of a genetic marker given a hypothesized genetic relationship and the probability of the genetic marker given a genetic relationship between the child and a random individual of the ethnic or racial group used in the hypothesized genetic relationship.

SECTION 40. UPA 502. Scope; limitation on use of genetic testing. (1) Sections 39 to 51 of this 2025 Act govern genetic testing of an individual in a proceeding to adjudicate parentage, whether the individual:

(a) Voluntarily submits to testing; or

(b) Is tested under an order of the court or a child support agency.

(2) Genetic testing may not be used:

(a) Except as provided in section 70 (3) of this 2025 Act, to challenge the parentage of a child who was conceived by assisted reproduction, including under a gestational surrogacy agreement; or

(b) To establish a donor's parentage of a child who was conceived by assisted reproduction.

SECTION 41. UPA 503. Authority to order or deny genetic testing. (1) Except as otherwise provided in sections 39 to 51 of this 2025 Act, in a proceeding in this state in which parentage is a relevant fact, the court or the administrator:

(a) May order the child and any other individual to submit to genetic testing:

(A) Upon the court's or administrator's own initiative;

(B) At the request of or on behalf of any person whose genetic material is involved;

(C) At the request of the Department of Human Services if the child is in the care and custody of the department under ORS chapter 419B; or

(D) At the request of a party to the action if the request is made at a time so as not to unduly delay the proceedings; and

(b) Shall order the child and any other individual to submit to genetic testing if a request for testing is supported by the sworn statement of a party:

(A) Alleging a reasonable possibility that the individual is the child's genetic parent; or

(B) Denying genetic parentage of the child and stating facts establishing a reasonable possibility that the individual is not a genetic parent.

(2) The court or administrator agency may not order in utero genetic testing.

(3) If two or more individuals are subject to court-ordered genetic testing, the court may order that testing be completed concurrently or sequentially.

(4) Genetic testing of the person who gave birth to the child is not a condition precedent to testing of the child and an individual whose genetic parentage of the child is being determined. If the person who gave birth to the child is unavailable or declines to submit to genetic testing, the court may order genetic testing of the child and each individual whose genetic parentage of the child is being adjudicated.

(5) The court may deny a motion for genetic testing of the child and any other individual after considering the factors in section 54 of this 2025 Act if the genetic testing is requested in a proceeding:

(a) To adjudicate the parentage of a child having a presumed parent;

(b) To challenge an acknowledgment of parentage; or

(c) Except as provided in section 70 (3) of this 2025 Act, to determine whether a gestational surrogate is the genetic parent of a child believed to have been conceived by assisted reproduction under a gestational surrogacy agreement.

(6) The court may only approve an individual's request for genetic testing if the individual has standing to maintain a proceeding to adjudicate parentage and any statute of limitations or time limits for initiating a proceeding to adjudicate parentage that are applicable to the individual have not expired.

(7) If any individual declines to submit to genetic testing ordered by the court, the court or administrator may:

(a) If the rights of others and the interests of justice so require, resolve the question of parentage against such person or enforce the court's or administrator's order; or

(b) Find the individual in contempt of court.

(8) Subject to the limitations in section 6 (2) of this 2025 Act and ORS 109.070 (6)(c), the Department of Human Services is not required to obtain a court order under this section to make a referral for genetic testing at the request of a party or a child's alleged genetic parent if the child is in the department's care and custody.

SECTION 42. UPA 504. Requirements for genetic testing. (1) Genetic testing must be of a type reasonably relied on by experts in the field of genetic testing and performed in a testing laboratory accredited by:

(a) The Association for the Advancement of Blood and Biotherapies, or a successor to its functions; or

(b) An accrediting body designated by the Oregon Health Authority by rule, consistent with any applicable designation by the Secretary of the United States Department of Health and Human Services.

(2) A specimen used in genetic testing may consist of a sample or a combination of samples of blood, buccal cells, bone, hair or other body

tissue or fluid. The specimen used in the testing need not be of the same kind for each individual undergoing genetic testing.

(3) Based on the ethnic or racial group of an individual undergoing genetic testing, a testing laboratory shall determine the databases from which to select frequencies for use in calculating a relationship index. If an individual or the administrator objects to the laboratory's database determination, the following rules apply:

(a) Not later than 30 days after receipt of the report of the test, the objecting individual or administrator may request the court to require the laboratory to recalculate the relationship index using an ethnic or racial group different from that used by the laboratory.

(b) The individual or the administrator objecting to the laboratory's database determination under this subsection shall:

(A) If the requested frequencies are not available to the laboratory for the ethnic or racial group requested, provide the requested frequencies compiled in a manner recognized by accrediting bodies; or

(B) Engage another laboratory to perform the calculations.

(c) The laboratory may use its own statistical estimate if there is a question about which ethnic or racial group is appropriate. The laboratory shall calculate the frequencies using statistics, if available, for any other ethnic or racial group requested.

(4) If, after recalculation of the relationship index under subsection (3) of this section using a different ethnic or racial group, genetic testing under section 45 of this 2025 Act does not identify an individual as a genetic parent of a child, the court may require an individual who has been tested to submit to additional genetic testing to identify a genetic parent.

SECTION 43. UPA 505. Report of genetic testing. (1) A report of genetic testing must be in writing and signed under penalty of perjury by a designee of the testing laboratory. A report complying with the requirements of sections 39 to 51 of this 2025 Act is self-authenticating.

(2) Documentation from a testing laboratory of the following information is sufficient to establish a reliable chain of custody and allow the results of genetic testing to be admissible without testimony:

(a) The name and photograph of each individual whose specimen has been taken;

(b) The name of the individual who collected each specimen;

(c) The place and date each specimen was collected;

(d) The name of the individual who received each specimen in the testing laboratory; and

(e) The date each specimen was received.

SECTION 44. UPA 606. Admissibility of results of genetic testing. (1) Except as otherwise provided in section 40 (2) of this 2025 Act, the court shall admit a report of genetic testing ordered by the court under section 41 of this 2025 Act as evidence of the truth of the facts asserted in the report.

(2) A party may object to the admission of a report described in subsection (1) of this section, not later than 14 days after the party receives the report. The party shall cite specific grounds for exclusion.

(3) A party that objects to the results of the genetic testing may call a genetic testing expert to testify in person or by another method approved by the court. Unless the court orders otherwise, the party offering the testimony bears the expense for the expert testifying.

(4) Admissibility of a report of genetic testing is not affected by whether the testing was performed:

(a) Voluntarily or under an order of the court or the administrator; or

(b) Before, on or after commencement of the proceeding.

SECTION 45. UPA 506. Genetic testing results; challenge to results. (1) An individual is rebuttably presumed to be a genetic parent of a child if genetic testing complies with sections 39 to 51 of this 2025 Act and the results of the testing disclose:

(a) The individual has at least a 99 percent probability of parentage, using a prior probability of 0.50, as calculated by using the combined relationship index obtained in the testing; and

(b) A combined relationship index of at least 100 to 1.

(2) An individual presumed to be a genetic parent of the child under this section may challenge the genetic testing results only by other genetic testing satisfying the requirements of sections 39 to 51 of this 2025 Act that:

(a) Excludes the individual as a genetic parent of the child; or

(b) Identifies another individual as a possible genetic parent of the child other than:

(A) The person who gave birth to the child; or

(B) The individual identified under subsection (1) of this section.

(3) Except as otherwise provided in section 50 of this 2025 Act, if more than one individual other than the person who gave birth is identified by genetic testing as a possible genetic parent of the child, the court shall order each individual to submit to further genetic testing to identify a genetic parent.

SECTION 46. UPA 507. Cost of genetic testing. (1) Payment of the cost of initial genetic testing must be made:

(a) By the Child Support Program if child support enforcement services are being provided under ORS 25.080;

(b) By the individual or agency that made the request for genetic testing;

(c) As agreed by the parties; or

(d) As ordered by the court.

(2) If the cost of genetic testing is paid by the Child Support Program, the program may seek reimbursement from the person or agency that requested the tests.

(3) If the original test result is contested prior to the entry of an order or judgment establishing parentage, the court or the administrator shall order additional testing upon request and advance payment by the party making the request.

SECTION 47. UPA 508. Additional genetic testing. The court or the administrator shall order additional genetic testing at the request of an individual who contests the result of the initial testing under section 45 of this 2025 Act. If initial genetic testing under section 45 of this 2025 Act identified an individual as a genetic parent of the child, the court or the administrator may not order additional testing unless the contesting individual pays for the testing in advance.

SECTION 48. UPA 509. Genetic testing when specimen not available. (1) The court may order relatives of an alleged genetic parent to submit specimens for testing if:

(a) A genetic testing specimen is not available from the alleged genetic parent;

(b) The individual seeking genetic testing demonstrates good cause and the court finds that the circumstances are just; and

(c) The court finds that the need for genetic testing outweighs the legitimate interests of the individual sought to be tested.

(2) The court may order any of the following individuals to submit specimens for genetic testing under this section:

(a) A parent of the alleged genetic parent;

(b) A sibling of the alleged genetic parent;

(c) Another child of the alleged genetic parent and the person who gave birth to the other child; and

(d) Another relative of the alleged genetic parent as necessary to complete genetic testing.

SECTION 49. UPA 510. Deceased individual. If an individual seeking genetic testing demonstrates good cause, the court may order genetic testing of a deceased individual.

SECTION 50. UPA 511. Identical siblings. (1) If the court finds there is reason to believe that an alleged genetic parent has an identical sibling and evidence that the sibling may be a genetic parent of the child, the court may order genetic testing of the sibling.

(2) If more than one sibling is identified under section 45 of this 2025 Act as a genetic parent of the child, the court may rely on nongenetic evidence to adjudicate which sibling is a genetic parent of the child.

SECTION 51. UPA 512. Confidentiality of genetic testing. Release of a report of genetic testing for parentage is subject to the privacy protections under ORS 192.531 to 192.549.

SECTION 52. ORS 109.260 is amended to read:

109.260. [*ORS 109.250 to 109.262*] **Sections 39 to 51 of this 2025 Act** apply to criminal cases for nonsupport under ORS 163.555 subject to the following limitations and provisions:

(1) An order for the tests shall be made only upon application of a party or on the court's initiative.

(2) The compensation of the experts shall be paid by the county in which the proceedings are had under order of court.

(3) The court may direct a verdict of acquittal upon the conclusions of all the experts under the provisions of [*ORS 109.258*] **section 45 of this 2025 Act**, otherwise the case shall be submitted for determination upon all evidence.

SECTION 53. ORS 109.250, 109.251, 109.252, 109.254, 109.256, 109.258, 109.262 and 109.264 are repealed.

SECTION 53a. Notwithstanding section 60, chapter 99, Oregon Laws 2025 (Enrolled House Bill 3348) (amending ORS 109.252), if House Bill 3348 becomes law, ORS 109.252 is repealed by section 53 of this 2025 Act.

COMPETING CLAIMS OF PARENTAGE

SECTION 54. UPA 613. Adjudicating competing claims of parentage. (1) Except as otherwise provided in section 28 of this 2025 Act, in a proceeding to adjudicate competing claims of, or challenges under ORS 109.070 or 109.072 or section 6 (3) of this 2025 Act to, parentage of a child by two or more individuals, the court shall adjudicate parentage in the best interest of the child, taking into consideration, at a minimum:

(a) The age of the child;

(b) The length of time during which each individual assumed the role of parent of the child;

(c) The nature of the relationship between the child and each individual;

(d) The harm to the child if the relationship between the child and each individual is not recognized;

(e) The basis for each individual's claim to parentage of the child; and

(f) Other equitable factors arising from the disruption of the relationship between the child

and each individual or the likelihood of other harm to the child.

(2) If an individual challenges parentage based on the results of genetic testing, in addition to the factors listed in subsection (1) of this section, the court shall consider:

(a) The facts surrounding the discovery the individual might not be a genetic parent of the child; and

(b) The length of time between the time that the individual was placed on notice that the individual might not be a genetic parent and the commencement of the proceeding.

ASSISTED REPRODUCTION
(Generally)

SECTION 55. UPA 612. Adjudicating parentage of child of assisted reproduction, other than under a surrogacy agreement. (1) Except as provided in subsection (2) of this section, a proceeding under sections 55 to 62 of this 2025 Act to adjudicate the parentage of a child conceived by assisted reproduction, other than under a surrogacy agreement, may be commenced by:

(a) An alleged intended parent;

(b) The parent who gave birth to the child; or

(c) The child's presumed parent.

(2) If the child was conceived by assisted reproduction, other than under a surrogacy agreement, the parentage of an individual who is the child's presumed parent may be challenged under this section:

(a) By the parent who gave birth to the child and the child's presumed parent;

(b) If the parent who gave birth to the child and the child's presumed parent are married and cohabiting, by any person with standing under subsection (1) of this section if the parent who gave birth to the child and the child's presumed parent both consent to the challenge; or

(c) If the parent who gave birth to the child and the child's presumed parent are no longer married and cohabiting, by any person with standing under subsection (1) of this section.

(3)(a) The court shall adjudicate an individual's parentage of a child in a proceeding commenced under this section as provided in sections 55 to 62 of this 2025 Act.

(b) If the child was conceived by assisted reproduction, other than under a surrogacy agreement, and a person other than the individual or the parent who gave birth to the child is a parent under sections 55 to 62 of this 2025 Act, the court shall adjudicate the individual's parentage of the child under section 54 of this 2025 Act.

(4) Nothing in this section prohibits an individual from asserting a claim to or commencing an action to adjudicate the parentage of a child conceived by assisted reproduction, other than under a surrogacy agreement, under section 6 of this 2025 Act or ORS 109.070 or 109.072, as applicable.

SECTION 56. Section 55 of this 2025 Act is amended to read:

Sec. 55. (1) Except as provided in subsection (2) of this section, a proceeding under sections 55 to 62 of this 2025 Act to adjudicate the parentage of a child conceived by assisted reproduction, other than under a surrogacy agreement, may be commenced by:

(a) An alleged intended parent;

(b) The parent who gave birth to the child; [*or*]

(c) The child's presumed parent**; or**

(d) The child's acknowledged parent.

(2) If the child was conceived by assisted reproduction, other than under a surrogacy agreement, the parentage of an individual who is the child's presumed parent **or acknowledged parent under ORS 109.070 (1)(a)(B)** may be challenged under this section:

(a) By the parent who gave birth to the child and the child's presumed parent **or acknowledged parent**;

(b) If the parent who gave birth to the child and the child's presumed parent **or acknowledged parent** are married and cohabiting, by any person with standing under subsection (1) of this section if the parent who gave birth to the child and the child's presumed parent **or acknowledged parent** both consent to the challenge; or

(c) If the parent who gave birth to the child and the child's presumed parent **or acknowledged parent** are no longer married and cohabiting, by any person with standing under subsection (1) of this section.

(3)(a) The court shall adjudicate an individual's parentage of a child in a proceeding commenced under this section as provided in sections 55 to 62 of this 2025 Act.

(b) If the child was conceived by assisted reproduction, other than under a surrogacy agreement, and a person other than the individual or the parent who gave birth to the child is a parent under sections 55 to 62 of this 2025 Act, the court shall adjudicate the individual's parentage of the child under section 54 of this 2025 Act.

(4) Nothing in this section prohibits an individual from commencing an action to adjudicate or asserting a claim to the parentage of a child conceived by assisted reproduction, other than under a surrogacy agreement, under section 6 of this 2025 Act or ORS 109.070 or 109.072, as applicable.

SECTION 57. UPA 702. Parental status of donor. A donor is not a parent of a child conceived by assisted reproduction.

SECTION 58. UPA 703/704. Parentage of child of assisted reproduction; consent. (1) An individual's parentage of a child conceived by

assisted reproduction, other than under a surrogacy agreement:

(a) Is established by operation of law if:

(A) Before, on or after the child's birth, the individual consents in writing to the assisted reproduction;

(B) The writing states that the individual intends to be a parent of the child; and

(C) The writing is signed by the individual and the parent who gave birth to the child; or

(b) May be established by judgment of the court if the individual did not consent in writing or the writing does not meet the requirements of paragraph (a) of this subsection and a court finds by clear and convincing evidence that:

(A) The individual and the parent who gave birth to the child entered into an express agreement before the child's conception that the individual and the parent who gave birth to the child both would be parents of the child; or

(B) The individual and the parent who gave birth to the child resided together in the same household with the child and both openly held out the child as the individual's child:

(i) For the first two years of the child's life, including any period of temporary absence; or

(ii) From the child's birth until the death of the child or the death or incapacity of the individual, if, before the child attains two years of age, the child dies or the individual dies or becomes incapacitated, and a party proves by clear and convincing evidence that the parent who gave birth to the child and the individual both intended the individual would openly hold out the child as the individual's child, but the individual was prevented from carrying out that intent by the death of the child or the individual's death or incapacity.

(2) When determining whether an individual's absence was temporary under subsection (1) of this section, the court shall consider the totality of the circumstances, including whether the individual's absence was due to military service.

SECTION 59. UPA 705. Limitation on spouse's dispute of parentage. The court shall find that an individual who is the presumed parent of a child conceived by assisted reproduction, other than under a surrogacy agreement, is not the parent of the child and that the presumption is rebutted if:

(1)(a) The individual provided the gametes used in the assisted reproduction;

(b) The individual challenges the presumption within two years following the birth of the child; and

(c) The court finds that the individual did not consent to the assisted reproduction before, on or after the birth of the child or withdrew consent as provided in section 61 of this 2025 Act; or

(2)(a) The individual did not provide the gametes used in the assisted reproduction;

(b) The individual did not consent to the assisted reproduction;

(c) The individual and the parent who gave birth to the child have not cohabited since the date of the transfer that resulted in the pregnancy; and

(d) The individual never openly held out the child as the individual's child.

SECTION 60. UPA 706. Effect of certain legal proceedings regarding marriage. If the marriage of a parent who gave birth to a child conceived by assisted reproduction, other than under a surrogacy agreement, is terminated through dissolution, annulment or legal separation before the transfer that results in a pregnancy, the former spouse of the parent who gave birth to the child conceived by the assisted reproduction is not a parent of the child unless the former spouse consented in writing that the former spouse would be a parent of the child if a transfer resulting in pregnancy were to occur after a dissolution, annulment or legal separation, and the former spouse did not withdraw consent as provided in section 61 of this 2025 Act.

SECTION 61. UPA 707. Withdrawal of consent. (1) An individual who consents to assisted reproduction, other than under a surrogacy agreement, may withdraw consent any time before a transfer that results in a pregnancy by giving written notice of the withdrawal of consent to the person who agreed to give birth to a child conceived by the assisted reproduction.

(2) An individual who withdraws consent under subsection (1) of this section:

(a) Is not a parent of a child conceived by the assisted reproduction under sections 55 to 62 of this 2025 Act; and

(b) Is a donor if the individual provided the gametes that resulted in the pregnancy.

(3) An individual who withdraws consent as provided in this section shall provide a copy of the withdrawal to the clinic or health care provider facilitating the assisted reproduction. Failure to give notice to the clinic or health care provider does not affect the validity of the withdrawal.

SECTION 62. UPA 708. Parental status of deceased individual. (1) If an individual who intends to be a parent of a child conceived by assisted reproduction, other than under a surrogacy agreement, dies during the period between the date of transfer and the birth of the child, the individual's death does not preclude the establishment of the individual's parentage of the child in the same manner as if the individual had died after the birth of the child.

(2) If an individual who consented in writing to assisted reproduction as described in section 58 (1)(a) of this 2025 Act dies before a transfer that results in pregnancy, the deceased individual is a parent of a child conceived by the transfer only if:

(a)(A) The individual consented in writing that if assisted reproduction were to occur after the death of the individual, the individual would be a parent of the child; or

(B) The individual's intent to be a parent of a child conceived by assisted reproduction after the individual's death is established by clear and convincing evidence; and

(b) The embryo is in utero not later than 24 months after the individual's death.

(Under Gestational Surrogacy Agreement)

SECTION 63. UPA 802. Eligibility to enter gestational surrogacy agreement. (1) An individual may enter into an agreement to act as a gestational surrogate only if the individual:

(a) Has attained 21 years of age;

(b) Has previously given birth to at least one child;

(c) Has completed a medical evaluation related to the surrogacy arrangement and the medical evaluation was conducted by a licensed health care provider;

(d) Has completed a mental health consultation by a licensed mental health care provider; and

(e) Has retained, at the expense of the intended parent or parents, independent legal representation of the individual's choice to represent the individual throughout the surrogacy arrangement regarding the terms of the surrogacy agreement and the potential legal consequences of the agreement.

(2) An individual who intends to be a parent of a child conceived by assisted reproduction under a gestational surrogacy arrangement may enter into an agreement with a gestational surrogate if the individual:

(a) Has attained 21 years of age;

(b) Has completed a medical evaluation related to the surrogacy arrangement and the medical evaluation was conducted by a licensed health care provider;

(c) Has completed a mental health consultation by a licensed mental health care provider; and

(d) Has retained legal representation of the individual's choice to represent the individual throughout the surrogacy arrangement regarding the terms of the surrogacy agreement and the potential legal consequences of the agreement.

SECTION 64. UPA 803. Requirements of gestational surrogacy agreement; process. A gestational surrogacy agreement must be executed in compliance with the following rules:

(1)(a) At least one party must be a resident of this state;

(b) The transfer that results in the pregnancy must occur in this state; or

(c) The parties must all intend that the child be born in this state.

(2) A gestational surrogate and each intended parent must meet the requirements of section 63 of this 2025 Act.

(3) Each intended parent, the surrogate and the surrogate's spouse, if any, must be parties to the agreement.

(4) The agreement must be in writing and signed by each party listed in subsection (3) of this section.

(5) The surrogate and each intended parent must acknowledge in writing receipt of a copy of the agreement.

(6) The signature of each party to the agreement must be made under penalty of perjury or notarized.

(7) The agreement must identify the attorneys the parties have retained to provide legal representation throughout the surrogacy arrangement.

(8) The intended parent or parents must agree to pay for independent legal representation for the surrogate.

(9) The agreement must be executed before a transfer that results in the agreed upon pregnancy.

SECTION 65. UPA 804. Requirements of gestational or genetic surrogacy agreement; content. (1) A gestational surrogacy agreement must comply with the following requirements:

(a) A surrogate agrees to attempt to become pregnant by means of assisted reproduction.

(b) The surrogate and the surrogate's spouse or former spouse, if any, have no claim to parentage of a child conceived by assisted reproduction under the agreement.

(c) The surrogate's spouse, if any, must acknowledge and agree to comply with the obligations imposed on the surrogate by the agreement.

(d) Except as otherwise provided in section 102 of this 2025 Act, the intended parent or, if there are two intended parents, each one jointly and severally, immediately on birth will be the exclusive parent or parents of the child, regardless of number of children born or gender or mental or physical condition of each child.

(e) Except as otherwise provided in section 102 of this 2025 Act, the intended parent or, if there are two intended parents, each parent jointly and severally, immediately on birth will assume responsibility for the financial support of the child, regardless of number of children born or gender or mental or physical condition of each child.

(f) The agreement must include information disclosing how each intended parent will cover the surrogacy-related expenses of the surrogate and the medical expenses of the child. If health care coverage is used to cover the medical expenses, the disclosure must include a summary of the health care policy provisions related to coverage for surrogate pregnancy, including any possible liability of the surrogate, third party liability liens, other insurance coverage, and any notice requirement that could affect coverage or liability of the surrogate. Unless the agreement expressly provides otherwise, the review and disclosure do not constitute legal advice. If the extent of coverage is uncertain, a statement of that fact is sufficient to comply with this paragraph.

(g) The agreement must permit the surrogate to make all health and welfare decisions regarding the surrogate and the pregnancy, including decisions regarding reproductive health care, as defined in ORS 435.190.

(h) The agreement must include information about each party's right under section 69 of this 2025 Act to terminate the surrogacy agreement.

(2) A gestational surrogacy agreement may provide for:

(a) Payment of consideration and reasonable expenses; and

(b) Reimbursement of specific expenses if the agreement is terminated under section 69 of this 2025 Act.

(3) A right created under a surrogacy agreement is not assignable and there is no third party beneficiary of the agreement other than the child.

SECTION 66. UPA 805. Surrogacy agreement; effect of subsequent change of marital status. (1) Unless a gestational surrogacy agreement expressly provides otherwise, after the agreement is signed by all of the parties:

(a) The subsequent marriage of a surrogate does not affect the validity of the agreement, the consent of the surrogate's new spouse to the agreement is not required and the surrogate's new spouse is not a presumed parent of a child conceived by assisted reproduction under the agreement; and

(b) The subsequent dissolution, annulment or legal separation of the surrogate does not affect the validity of the agreement.

(2) Unless a gestational surrogacy agreement expressly provides otherwise, after the agreement is signed by all of the parties:

(a) The marriage of an intended parent does not affect the validity of a surrogacy agreement, the consent of the new spouse of the intended parent is not required and the new spouse of the intended parent is not, based on the agreement, a parent of a child conceived by assisted reproduction under the agreement; and

(b) The dissolution, annulment or legal separation of an intended parent does not affect the validity of the agreement and unless the agreement is terminated under section 69 of this 2025 Act, the intended parents are the parents of any child conceived by assisted reproduction under the agreement.

(3) Nothing in this section prohibits the parties before an embryo transfer that results in the agreed upon pregnancy from jointly amending the existing agreement.

SECTION 67. UPA 806. Inspection of documents. (1) A petition and any other document related to a surrogacy agreement filed with the court shall be sealed, exempt from public disclosure under ORS 192.311 to 192.478 and may not be disclosed except:

(a) To a party to the proceeding;

(b) To a child conceived by assisted reproduction under the agreement;

(c) To an attorney of a party to the proceeding or a child conceived by assisted reproduction under the agreement;

(d) The court; or

(e) Pursuant to a court order for good cause shown, and subject to the provisions of ORS 192.324.

(2) The individual seeking to inspect the document may be required to pay the expense of preparing a copy of the document to be inspected.

SECTION 68. UPA 807. Exclusive, continuing jurisdiction. During the period after the execution of a gestational surrogacy agreement until 90 days after the birth of a child conceived by assisted reproduction under the agreement, a court of this state conducting a proceeding in which the parentage of the child is a relevant fact has exclusive, continuing jurisdiction over all matters arising out of the agreement. Nothing in this section grants the court jurisdiction to make or enforce a judgment of support or a child custody determination if the court does not otherwise have such jurisdiction.

SECTION 69. UPA 808. Termination of gestational surrogacy agreement. (1) A party to a gestational surrogacy agreement may terminate the agreement, at any time before an embryo transfer, by giving written notice of termination to all other parties. If an embryo transfer does not result in a pregnancy, a party may terminate the agreement at any time before a subsequent embryo transfer.

(2) Unless a gestational surrogacy agreement provides otherwise, on termination of the agreement under subsection (1) of this section, the parties are released from the agreement, except that each intended parent remains responsible for expenses that are reimbursable under the agreement and incurred by the

gestational surrogate through the date of termination.

(3) Except in a case involving fraud, neither a gestational surrogate nor the surrogate's spouse or former spouse, if any, is liable to the intended parent or parents for a penalty or liquidated damages, for terminating a gestational surrogacy agreement under this section.

SECTION 70. UPA 809. Parentage under gestational surrogacy agreement. (1) Except as otherwise provided in subsection (3) of this section or section 71 (2) or 74 of this 2025 Act, on birth of a child conceived by assisted reproduction under a gestational surrogacy agreement, each intended parent is, by operation of law, a parent of the child.

(2) Except as otherwise provided in subsection (3) of this section or section 74 of this 2025 Act, neither a gestational surrogate nor the surrogate's spouse or former spouse, if any, is a parent of the child.

(3)(a) If a child is alleged to be a genetic child of the individual who agreed to be a gestational surrogate, the court:

(A) Shall order genetic testing of the child as provided in sections 39 to 51 of this 2025 Act; or

(B) Upon the joint request of the individual and the intended parent or parents, shall admit a report of genetic testing as evidence of the truth of the facts asserted in the report if the parties voluntarily consent to genetic testing that complies with sections 39 to 51 of this 2025 Act.

(b) If the individual is presumed to be a genetic parent of the child as provided in section 45 of this 2025 Act, the child is not a child conceived by assisted reproduction under a surrogacy agreement for purposes of establishing parentage of the child under ORS 109.065.

(4) Except as otherwise provided in subsection (3) of this section or section 71 (2) or 74 of this 2025 Act, each intended parent of a child conceived by assisted reproduction under a gestational surrogacy agreement is a parent of the child if, due to a clinical or laboratory error, the child is not genetically related to an intended parent or to a donor who donated to the intended parent or parents, subject to any other claim of parentage.

SECTION 71. UPA 810. Gestational surrogacy agreement; parentage of deceased intended parent. (1) Section 70 of this 2025 Act applies to an intended parent even if the intended parent dies during the period between the transfer resulting in a pregnancy and the birth of the child.

(2) Except as otherwise provided in section 74 of this 2025 Act, an intended parent who dies before the transfer resulting in a child conceived by assisted reproduction under a gestational surrogacy agreement is the child's parent only if:

(a) The agreement provides that the intended parent would be the parent of a child conceived by a transfer occurring after the intended parent's death; and

(b) The transfer occurs not later than 24 months after the death of the intended parent.

SECTION 72. UPA 811. Gestational surrogacy agreement; judgment of parentage. (1) Except as otherwise provided in section 70 (3) of this 2025 Act, before, on or after the birth of a child conceived by assisted reproduction under a gestational surrogacy agreement, a party to the agreement may commence a proceeding in the circuit court for a judgment:

(a) Declaring that each intended parent is a parent of the child and ordering that parental rights and duties vest immediately on the birth of the child exclusively in each intended parent;

(b) Declaring that the gestational surrogate and the surrogate's spouse or former spouse, if any, are not the parents of the child;

(c) To protect the privacy of the child and the parties, declaring that the court record is not open to inspection, except as authorized under section 67 of this 2025 Act;

(d) If necessary, that the child be surrendered to the intended parent or parents; and

(e) For other relief the court determines necessary and proper.

(2) The court may issue a judgment under subsection (1) of this section before the birth of the child but the court shall stay enforcement of the judgment until the birth of the child and shall order one or more of the parties to notify the court of the child's birth.

(3) Neither this state nor the state registrar is a necessary party to a proceeding under subsection (1) of this section.

SECTION 73. Section 72 of this 2025 Act is amended to read:

Sec. 72. (1) Except as otherwise provided in section 70 (3) of this 2025 Act, before, on or after the birth of a child conceived by assisted reproduction under a gestational surrogacy agreement, a party to the agreement may commence a proceeding in the circuit court for a judgment:

(a) Declaring that each intended parent is a parent of the child and ordering that parental rights and duties vest immediately on the birth of the child exclusively in each intended parent;

(b) Declaring that the gestational surrogate and the surrogate's spouse or former spouse, if any, are not the parents of the child;

(c) Directing the State Registrar of the Center for Health Statistics to designate each intended parent as a parent of the child on the birth record;

[*(c)*] **(d)** To protect the privacy of the child and the parties, declaring that the court record is not

open to inspection, except as authorized under section 67 of this 2025 Act;

[*(d)*] **(e)** If necessary, that the child be surrendered to the intended parent or parents; and

[*(e)*] **(f)** For other relief the court determines necessary and proper.

(2) The court may issue a judgment under subsection (1) of this section before the birth of the child but the court shall stay enforcement of the judgment until the birth of the child and shall order one or more of the parties to notify the court of the child's birth.

(3) Neither this state nor the state registrar is a necessary party to a proceeding under subsection (1) of this section.

SECTION 74. UPA 812. Effect of gestational surrogacy agreement. (1) A gestational surrogacy agreement that complies with sections 63 to 74 of this 2025 Act is enforceable.

(2) If a child was conceived by assisted reproduction under a gestational surrogacy agreement that does not comply with sections 63 to 74 of this 2025 Act, the court shall determine the rights and duties of the parties to the agreement consistent with the intent of the parties at the time of the execution of the agreement. Each party to the agreement and any individual who at the time of the execution of the agreement was a spouse of a party to the agreement has standing to maintain a proceeding to adjudicate an issue related to the enforcement of the agreement.

(3) Except as expressly provided in a gestational surrogacy agreement or subsection (4) or (5) of this section, if the agreement is breached by the gestational surrogate, the gestational surrogate's spouse or one or more intended parents, the nonbreaching party is entitled to the remedies available at law or in equity.

(4) Specific performance is not a remedy available for breach by a gestational surrogate of a provision in the agreement that the gestational surrogate be impregnated, terminate or not terminate a pregnancy or submit to medical procedures.

(5) Except as otherwise provided in subsection (4) of this section, if an intended parent is determined to be a parent of the child, specific performance is a remedy available for:

(a) Breach of the agreement by a gestational surrogate or the gestational surrogate's spouse that prevents the intended parent from exercising immediately on birth of the child the full rights of parentage; or

(b) Breach by the intended parent that prevents the intended parent's acceptance, immediately on birth of the child conceived by assisted reproduction under the agreement, of the duties of parentage.

SECTION 75. ORS 111.005 is amended to read:

111.005. As used in ORS chapters 111, 112, 113, 114, 115, 116 and 117, unless the context requires otherwise:

(1) "Abate" means to reduce a devise on account of the insufficiency of the estate to pay all claims, expenses and devises in full.

(2) "Action" includes suits and legal proceedings.

(3) "Administration" means any proceeding relating to the estate of a decedent, whether the decedent died testate, intestate or partially intestate.

(4) "Advancement" means a gift by a decedent to an heir or devisee with the intent that the gift satisfy in whole or in part the heir's share of an intestate estate or the devisee's share of a testate estate.

(5) "Assets" includes real, personal and intangible property.

(6) "Claim" includes liabilities of a decedent, whether arising in contract, in tort or otherwise.

(7) "Court" or "probate court" means the court in which jurisdiction of probate matters, causes and proceedings is vested as provided in ORS 111.075.

(8) "Decedent" means a person who has died.

(9)(a) "Descendant" means a person who is descended from a specific ancestor and includes an adopted child and the adopted child's descendants.

(b) When used to refer to persons who take by intestate succession, "descendant" does not include a person who is the descendant of a living descendant.

(10) "Devise," when used as a noun, means property disposed of by a will.

(11) "Devise," when used as a verb, means to dispose of property by a will.

(12) "Devisee" means a person designated in a will to receive a devise.

(13) "Distributee" means a person entitled to any property of a decedent under the will of the decedent or under intestate succession.

(14) "Domicile" means the place of abode of a person, where the person intends to remain and to which, if absent, the person intends to return.

(15)(a) "Estate" means the real and personal property of a decedent, as from time to time changed in form by sale, reinvestment, substitutions or otherwise, augmented by any accretions or additions or diminished by any decreases or distributions.

(b) "Estate" includes tangible and intangible personal property of a decedent domiciled in Oregon, wherever the property is situated.

(16) "Funeral" includes the burial or other disposition of the remains of a decedent, any plot or tomb and other necessary incidents to the disposition of the remains, any memorial ceremony or other observance and related expenses.

(17) "General devise" means a devise chargeable generally on the estate of a testator so that the devise is not distinguishable from other parts of the estate and does not constitute a specific devise.

(18) "Heir" means any person who is or would be entitled under intestate succession to property of a person upon that person's death.

(19)(a) "Interested person" means any person having a property right in or claim against the estate of a decedent that may be affected by the proceeding.

(b) "Interested person" includes a decedent's heir, devisee, child, spouse or creditor if the heir, devisee, child, spouse or creditor has a property right in or claim against the decedent's estate.

(c) "Interested person" also includes**:**

(A) A fiduciary representing a person described in paragraph (a) or (b) of this subsection**; and**

(B) A person designated in writing by the decedent to control the use of the decedent's gametes or embryos after the decedent's death.

(20) "Intestate" means one who dies without leaving a valid will, or the circumstance of dying without leaving a valid will, effectively disposing of all the estate.

(21) "Intestate succession" means succession to property of a decedent who dies intestate or partially intestate.

(22) "Issue" means a descendant or descendants.

(23) "Net estate" means the real and personal property of a decedent, except property used for the support of the surviving spouse and children and for the payment of expenses of administration, funeral expenses, claims and taxes.

(24) "Net intestate estate" means any part of the net estate of a decedent not effectively disposed of by the will.

(25) "Personal property" includes all property other than real property.

(26) "Personal representative" includes executor, administrator, administrator with will annexed and administrator de bonis non, but does not include special administrator.

(27) "Property" includes both real and personal property.

(28) "Real property" includes all legal and equitable interests in land, in fee and for life.

(29) "Settlement" includes, as to the estate of a decedent, the full process of administration, distribution and closing.

(30) "Specific devise" means a devise of a specific thing or specified part of the estate of a testator that is so described as to be capable of identification. A specific devise is a gift of a part of the estate identified and differentiated from all other parts.

(31) "Will" includes codicil and also includes a testamentary instrument that merely appoints a personal representative or that merely revokes or revives another will.

SECTION 76. ORS 112.077 is amended to read:

112.077. (1) For purposes of this section, an embryo that exists outside a person's body is not considered to be conceived until the embryo is implanted into a person's body.

(2) Except as provided in subsections (3) and (4) of this section, the relationships existing at the time of the death of a decedent govern the passing of the decedent's estate.

(3) A person conceived before the death of the decedent and born alive thereafter inherits as though the person was a child of the decedent and alive at the time of the death of the decedent.

(4) **Notwithstanding sections 62 and 71 of this 2025 Act,** a child conceived from the genetic material of a decedent who died before the transfer of the decedent's genetic material into a person's body is not entitled to an interest in the decedent's estate unless:

[*(a) The decedent's will or trust provided for posthumously conceived children; and*]

[*(b) The following conditions are satisfied:*]

[*(A)*] **(a)** The decedent, in a writing signed by the decedent and dated, specified that the decedent's genetic material may be used for the posthumous conception of a child of the decedent[*, and*]**;**

(b) The person designated by the decedent to control use of the decedent's genetic material gives written notice to the personal representative of the decedent's estate, within four months of the date of the appointment of the personal representative, that the decedent's genetic material is available for the purpose of posthumous conception; and

[*(B)*] **(c)** The child [*using*] **conceived from** the decedent's genetic material is in utero within [*two years*] **24 months** after the date of the decedent's death.

SECTION 77. ORS 112.105 is amended to read:

112.105. (1) For all purposes of intestate succession, full effect shall be given to all relationships as described in ORS 109.060, except as otherwise provided by law in case of adoption.

(2) For all purposes of intestate succession and for those purposes only, before the relationship of parent and child and other relationships dependent upon the establishment of parentage shall be given effect under subsection (1) of this section:

(a) The parentage of the child shall have been established under ORS 109.065 during the lifetime of the child; [*and*] **or**

(b) The parent must have acknowledged being the parent of the child in writing, signed by the parent during the lifetime of the child.

SECTION 78. ORS 163.537 is amended to read:

163.537. (1) A person commits the crime of buying or selling a person under 18 years of age if the person buys, sells, barters, trades or offers to buy or sell the legal or physical custody of a person under 18 years of age.

(2) Subsection (1) of this section does not:

(a) Prohibit a person in the process of adopting a child from paying the fees, costs and expenses related to the adoption as allowed in ORS 109.281.

(b) Prohibit a negotiated satisfaction of child support arrearages or other settlement in favor of a parent of a child in exchange for consent of the parent to the adoption of the child by the current spouse of the child's other parent.

(c) Apply to fees for services charged by the Department of Human Services or adoption agencies

licensed under [*ORS 412.001 to 412.161 and 412.991 and*] ORS chapter 418.

(d) Apply to fees for services in an adoption pursuant to a surrogacy agreement.

(e) Apply to fees for services pursuant to a gestational surrogacy agreement.

[*(e)*] **(f)** Prohibit discussion or settlement of disputed issues between parties in a domestic relations proceeding.

(3) Buying or selling a person under 18 years of age is a Class B felony.

SECTION 79. ORS 419B.603 is amended to read:

419B.603. As used in ORS 419B.600 to 419B.654, unless the context provides otherwise:

(1)(a) "Child custody proceeding" means a matter arising under ORS chapter 109, 418, 419A or 419B in which the legal custody or physical custody of an Indian child is an issue.

(b) "Child custody proceeding" does not include:

(A) A proceeding for the custody or support of, or parenting time with, a child under ORS 109.100, 109.103 or 109.119; [*or*]

(B) An emergency proceeding**;**

(C) A proceeding under section 55 of this 2025 Act to determine the parentage of a child conceived by assisted reproduction, other than under a surrogacy agreement; or

(D) A proceeding under sections 63 to 74 of this 2025 Act to determine the parentage of a child conceived by assisted reproduction under a gestational surrogacy agreement.

(2) "Emergency proceeding" means any court action that involves the emergency removal or emergency placement of an Indian child, including removal under ORS 419B.150, with or without a protective custody order, or a shelter care proceeding under ORS 419B.185.

(3)(a) "Extended family member" has the meaning given that term by the law or custom of an Indian child's tribe.

(b) If the meaning of "extended family member" cannot be determined under paragraph (a) of this subsection, "extended family member" means a person who has attained 18 years of age and who is the Indian child's grandparent, aunt, uncle, brother, sister, sister-in-law, brother-in-law, niece, nephew, first cousin, second cousin, stepparent or, as determined by the Indian child's tribe, clan or band member.

(4) "Indian" means a person who is a member of an Indian tribe or who is an Alaska Native and a member of a regional corporation as defined in section 7 of the Alaska Native Claims Settlement Act (43 U.S.C. 1606).

(5) "Indian child" means any unmarried person who has not attained 18 years of age and:

(a) Is a member or citizen of an Indian tribe; or

(b) Is eligible for membership or citizenship in an Indian tribe and is the biological child of a member of an Indian tribe.

(6) "Indian custodian" means an Indian, other than the Indian child's parent, who has custody, as described in ORS 419B.606 (1), of the Indian child, or to whom temporary physical care, custody and control has been transferred by the Indian child's parent.

(7) "Indian tribe" or "tribe" means any Indian tribe, band, nation or other organized group or community of Indians federally recognized as eligible for the services provided to Indians by the United States Secretary of the Interior because of their status as Indians, including any Alaska Native village as defined in 43 U.S.C. 1602(c).

(8) "Juvenile court" has the meaning given that term in ORS 419A.004.

(9) "Member" or "membership" means a determination by an Indian tribe that a person is a member or citizen in that Indian tribe.

(10) "Parent" means:

(a) A biological parent of an Indian child;

(b) An Indian who has lawfully adopted an Indian child, including adoptions made under tribal law or custom; or

(c) A father whose parentage has been acknowledged or established under ORS 109.065 **(1) to (6) or (9)** or 419B.609.

(11) "Party" or "parties" means parties to a proceeding, as described in ORS 419B.875.

(12) "Reservation" means Indian country as defined in 18 U.S.C. 1151 and any lands not covered under that section, title to which is held by the United States in trust for the benefit of an Indian tribe or individual or held by an Indian tribe or individual subject to a restriction by the United States against alienation.

(13) "Tribal court" means a court with jurisdiction over Indian child custody proceedings and that is either a Court of Indian Offenses, a court established and operated under the code or custom of an Indian tribe or any other administrative body of a tribe that is vested with authority over Indian child custody proceedings.

SECTION 80. ORS 432.088 is amended to read:

432.088. (1) A report of live birth for each live birth that occurs in this state shall be submitted to the Center for Health Statistics, or as otherwise directed by the State Registrar of the Center for Health Statistics, within five calendar days after the live birth and shall be registered if the report has been completed and filed in accordance with this section.

(2) The physician, institution or other person providing prenatal care related to a live birth shall provide prenatal care information as required by the state registrar by rule to the institution where the delivery is expected to occur not less than 30 calendar days prior to the expected delivery date.

(3) When a live birth occurs in an institution or en route to an institution, the person in charge of the institution or an authorized designee shall obtain all data required by the state registrar, prepare the report of live birth, certify either by signature or electronic signature that the child was born alive at the place and time and on the date stated and

submit the report as described in subsection (1) of this section.

(4) In obtaining the information required for the report of live birth, an institution shall use information gathering procedures provided or approved by the state registrar. Institutions may establish procedures to transfer, electronically or otherwise, information required for the report from other sources, provided that the procedures are reviewed and approved by the state registrar prior to the implementation of the procedures to ensure that the information being transferred is the same as the information being requested.

(5)(a) When a live birth occurs outside an institution, the information for the report of live birth shall be submitted within five calendar days of the live birth in a format adopted by the state registrar by rule in the following order of priority:

(A) By an institution where the [*birth mother*] **person who gave birth to the child** and child are examined, if examination occurs within 24 hours of the live birth;

(B) By a physician in attendance at the live birth;

(C) By a direct entry midwife licensed under ORS 687.405 to 687.495 in attendance at the live birth;

(D) By a person not described in subparagraphs (A) to (C) of this paragraph and not required by law to be licensed to practice midwifery who is registered with the Center for Health Statistics to submit reports of live birth and who was in attendance at the live birth; or

(E) By the [*father, the birth mother*] **parent who gave birth to the child or the child's presumed parent, alleged genetic parent, acknowledged parent, intended parent**, any other parent or, in the absence or inability of any parent, the person in charge of the premises where the live birth occurred.

(b) The state registrar may establish [*by rule*] the manner of submitting the information for the report of live birth by a person described in paragraph (a)(D) of this subsection or a physician or licensed direct entry midwife who attends the birth of his or her own child, grandchild, niece or nephew.

(6) When a report of live birth is submitted that does not include the minimum acceptable documentation required by this section or any rules adopted under this section, or when the state registrar has cause to question the validity or adequacy of the documentation, the state registrar, in the state registrar's discretion, may refuse to register the live birth and shall enter an order to that effect stating the reasons for the action. The state registrar shall advise the applicant of the right to appeal under ORS 183.484.

(7) When a live birth occurs on a moving conveyance:

(a) Within the United States and the child is first removed from the conveyance in this state, the live birth shall be registered in this state and the place where it is first removed shall be considered the place of live birth.

(b) While in international waters or airspace or in a foreign country or its airspace and the child is first removed from the conveyance in this state, the birth shall be registered in this state but the report of live birth shall show the actual place of birth insofar as can be determined.

(8) For purposes of making a report of live birth and live birth registration[*, the woman who gives live birth is the birth mother.*]**:**

(a) The person who gave birth to the child is a birth parent.

(b) If a court of competent jurisdiction determines that a [*woman other than the birth mother is the biological or genetic mother*] **person other than the person who gave birth to the child is the child's genetic parent or intended parent**, the court may order the state registrar to amend the record of live birth. The record of live birth shall then be placed under seal.

(9)(a) If the [*birth mother*] **person who gave birth to the child** is married at the time of either conception or live birth, or within 300 days before the live birth, the name of the [*mother's spouse in a marriage*] **spouse of the person who gave birth to the child** shall be entered on the report of live birth as a parent of the child unless parentage has been determined otherwise by a court of competent jurisdiction.

(b) If the [*birth mother*] **parent who gave birth to the child** is not married at the time of either conception or live birth, or within 300 days before the live birth, the name of the other parent [*shall not*] **may** be entered on the report of live birth [*unless*] **only if the parent who gave birth to the child and the other person to be named as a parent sign** a voluntary acknowledgment of [*paternity*] **parentage** form or other form prescribed under ORS 432.098 **and file the form with the state registrar.** [*is:*]

[*(A) Signed by the birth mother and the person to be named as the other parent; and*]

[*(B) Filed with the state registrar.*]

(c) If the [*birth mother*] **person who gave birth to the child** is a partner in a domestic partnership registered by the state at the time of either conception or live birth, or between conception and live birth, the name of the [*birth mother's*] partner **of the person who gave birth to the child** shall be entered on the report of live birth as a parent of the child, unless parentage has been determined otherwise by a court of competent jurisdiction.

(d) In any case in which [*paternity or*] parentage of a child is determined by a court of competent jurisdiction, or by an administrative determination of [*paternity or*] parentage, the Center for Health Statistics shall enter the name of each parent on the new record of live birth. The Center for Health Statistics shall change the surname of the child if so ordered by the court or, in a proceeding under ORS 25.550, by the administrator as defined in ORS 25.010.

(e) If a [*biological*] **genetic** parent is not named on the report of live birth, information other than the identity of the [*biological*] **genetic** parent may be entered on the report.

(10) A parent of the child, or other informant as determined by the state registrar by rule, shall verify the accuracy of the personal data to be entered on a report of live birth in time to permit submission of the report within [*the*] five calendar days of the live birth.

(11) A report of live birth submitted after five calendar days, but within one year after the date of live birth, shall be registered in the manner prescribed in this section. The record shall not be marked "Delayed."

(12) The state registrar may require additional evidence in support of the facts of live birth.

SECTION 81. ORS 432.088, as amended by section 80 of this 2025 Act, is amended to read:

432.088. (1) A report of live birth for each live birth that occurs in this state shall be submitted to the Center for Health Statistics, or as otherwise directed by the State Registrar of the Center for Health Statistics, within five calendar days after the live birth and shall be registered if the report has been completed and filed in accordance with this section.

(2) The physician, institution or other person providing prenatal care related to a live birth shall provide prenatal care information as required by the state registrar by rule to the institution where the delivery is expected to occur not less than 30 calendar days prior to the expected delivery date.

(3) When a live birth occurs in an institution or en route to an institution, the person in charge of the institution or an authorized designee shall obtain all data required by the state registrar, prepare the report of live birth, certify either by signature or electronic signature that the child was born alive at the place and time and on the date stated and submit the report as described in subsection (1) of this section.

(4) In obtaining the information required for the report of live birth, an institution shall use information gathering procedures provided or approved by the state registrar. Institutions may establish procedures to transfer, electronically or otherwise, information required for the report from other sources, provided that the procedures are reviewed and approved by the state registrar prior to the implementation of the procedures to ensure that the information being transferred is the same as the information being requested.

(5)(a) When a live birth occurs outside an institution, the information for the report of live birth shall be submitted within five calendar days of the live birth in a format adopted by the state registrar by rule in the following order of priority:

(A) By an institution where the person who gave birth to the child and child are examined, if examination occurs within 24 hours of the live birth;

(B) By a physician in attendance at the live birth;

(C) By a direct entry midwife licensed under ORS 687.405 to 687.495 in attendance at the live birth;

(D) By a person not described in subparagraphs (A) to (C) of this paragraph and not required by law to be licensed to practice midwifery who is registered with the Center for Health Statistics to submit reports of live birth and who was in attendance at the live birth; or

(E) By the parent who gave birth to the child or the child's presumed parent, alleged genetic parent, acknowledged parent, intended parent, any other parent or, in the absence or inability of any parent, the person in charge of the premises where the live birth occurred.

(b) The state registrar may establish the manner of submitting the information for the report of live birth by a person described in paragraph (a)(D) of this subsection or a physician or licensed direct entry midwife who attends the birth of his or her own child, grandchild, niece or nephew.

(6) When a report of live birth is submitted that does not include the minimum acceptable documentation required by this section or any rules adopted under this section, or when the state registrar has cause to question the validity or adequacy of the documentation, the state registrar, in the state registrar's discretion, may refuse to register the live birth and shall enter an order to that effect stating the reasons for the action. The state registrar shall advise the applicant of the right to appeal under ORS 183.484.

(7) When a live birth occurs on a moving conveyance:

(a) Within the United States and the child is first removed from the conveyance in this state, the live birth shall be registered in this state and the place where it is first removed shall be considered the place of live birth.

(b) While in international waters or airspace or in a foreign country or its airspace and the child is first removed from the conveyance in this state, the birth shall be registered in this state but the report of live birth shall show the actual place of birth insofar as can be determined.

(8) For purposes of making a report of live birth and live birth registration:

(a) The person who gave birth to the child is a birth parent.

(b) Notwithstanding paragraph (a) of this subsection, when a gestational surrogate under a surrogacy agreement gives live birth to a child resulting from the agreed upon pregnancy, the intended parents of the child are the birth parents and the gestational surrogate's information shall be reported as required by the state registrar.

[*(b)*] **(c)** If a court of competent jurisdiction determines that a person other than the person who gave birth to the child is the child's genetic parent or intended parent, the court may order the state

registrar to amend the record of live birth. The record of live birth shall then be placed under seal.

(9)(a) If the person who gave birth to the child is married at the time of either conception or live birth, or within 300 days before the live birth, the name of the spouse of the person who gave birth to the child shall be entered on the report of live birth as a parent of the child unless parentage has been determined otherwise by a court of competent jurisdiction.

(b) If the parent who gave birth to the child is not married at the time of either conception or live birth, or within 300 days before the live birth, the name of the other parent may be entered on the report of live birth only if**:**

(A) The parent who gave birth to the child and the other person to be named as a parent sign a voluntary acknowledgment of parentage form or other form prescribed under ORS 432.098 and file the form with the state registrar[.]**; or**

(B) The parent who gave birth to the child and the other person to be named as a parent intend, after the child's birth, to be married or enter into a domestic partnership registered by the state.

(c) If the person who gave birth to the child is a partner in a domestic partnership registered by the state at the time of either conception or live birth, or between conception and live birth, the name of the partner of the person who gave birth to the child shall be entered on the report of live birth as a parent of the child, unless parentage has been determined otherwise by a court of competent jurisdiction.

(d) In any case in which parentage of a child is determined by a court of competent jurisdiction, or by an administrative determination of parentage, the Center for Health Statistics shall enter the name of each parent on the new record of live birth. The Center for Health Statistics shall change the surname of the child if so ordered by the court or, in a proceeding under ORS 25.550, by the administrator as defined in ORS 25.010.

(e) If a genetic parent is not named on the report of live birth, information other than the identity of the genetic parent may be entered on the report.

(10) A parent of the child, or other informant as determined by the state registrar by rule, shall verify the accuracy of the personal data to be entered on a report of live birth in time to permit submission of the report within five calendar days of the live birth.

(11) A report of live birth submitted after five calendar days, but within one year after the date of live birth, shall be registered in the manner prescribed in this section. The record shall not be marked "Delayed."

(12) The state registrar may require additional evidence in support of the facts of live birth.

SECTION 82. ORS 677.990 is amended to read:

677.990. (1) Violation of any provision of this chapter is a misdemeanor. In any prosecution for such violation, it shall be sufficient to sustain a conviction to show a single act of conduct in violation of any of the provisions of this chapter and it shall not be necessary to show a general course of such conduct.

(2) Any person who practices medicine without being licensed under this chapter as prohibited in ORS 677.080 (4) commits a Class C felony.

[*(3) A person who violates the provisions of ORS 677.360 to 677.370 commits a Class C misdemeanor.*]

SECTION 83. ORS 109.239, 109.243, 109.247, 677.355, 677.360, 677.365 and 677.370 are repealed.

DONOR REGISTRY

SECTION 84. UPA 901. Definitions. As used in sections 84 to 88 of this 2025 Act:

(1) "Assisted reproduction" has the meaning given that term in section 2 of this 2025 Act.

(2) "Donor" has the meaning given that term in section 2 of this 2025 Act.

(3) "Gametes" has the meaning given that term in section 2 of this 2025 Act.

(4) "Identifying information" means:

(a) The full name of a donor;

(b) The date of birth of the donor; and

(c) The permanent and, if different, current address, telephone number and electronic mail address of the donor at the time of the donation.

(5) "Medical history" means information known to a donor at the time of collection regarding the donor's genetic or family history and past or present medical conditions that a reasonable person would consider heritable or likely to affect the health or development of offspring as supported by peer-reviewed medical evidence.

SECTION 85. UPA 902. Applicability. Sections 84 to 88 of this 2025 Act apply only to gametes collected on or after the effective date of this 2025 Act.

SECTION 86. UPA 903. Collection of information. (1) A gamete bank or fertility clinic providing services in this state shall collect from a donor the donor's identifying information and medical history at the time of the donation.

(2) A gamete bank or fertility clinic providing services in this state which receives gametes of a donor collected by another gamete bank or fertility clinic shall collect the name, address, telephone number and electronic mail address of the gamete bank or fertility clinic from which it received the gametes.

(3) A gamete bank or fertility clinic providing services in this state shall disclose the information collected under subsections (1) and (2) of this section as provided under section 87 of this 2025 Act.

SECTION 87. UPA 905. Disclosure of identifying information and medical history. (1) On request of a child conceived by assisted reproduction who attains 18 years of age, a gamete bank or fertility clinic providing services in this state which collected the gametes used in the assisted reproduction shall provide the child with identifying information of the donor who provided the gametes.

(2) Regardless whether a child made a request under subsection (1) of this section, on request by a child conceived by assisted reproduction who attains 18 years of age, or, if the child is a minor, by a parent or guardian of the child, a gamete bank or fertility clinic licensed in this state which collected the gametes used in the assisted reproduction shall make a good-faith effort to provide the child or, if the child is a minor, the parent or guardian of the child, access to nonidentifying medical history of the donor.

(3) On request of a child conceived by assisted reproduction who attains 18 years of age, or, if the child is a minor, by a parent or guardian of the child, a gamete bank or fertility clinic licensed in this state which received the gametes used in the assisted reproduction from another gamete bank or fertility clinic shall disclose to the child or, if the child is a minor, the parent or guardian of the child, the name, address, telephone number and electronic mail address of the gamete bank or fertility clinic from which it received the gametes.

SECTION 88. UPA 906. Recordkeeping. (1) A gamete bank or fertility clinic providing services in this state that collects gametes for use in assisted reproduction shall maintain identifying information and medical history about each gamete donor. The gamete bank or fertility clinic shall maintain records of gamete screening and testing and comply with reporting requirements under state or federal law.

(2) A gamete bank or fertility clinic providing services in this state that receives gametes from another gamete bank or fertility clinic shall maintain the name, address, telephone number and electronic mail address of the gamete bank or fertility clinic from which it received the gametes.

CHILD SUPPORT

SECTION 89. ORS 25.080 is amended to read:

25.080. (1) The following entity is primarily responsible for providing the support enforcement services described in subsection (4) of this section when an application as described in ORS 25.084 is made, or when an assignment of support rights is made to the state:

(a) The Division of Child Support of the Department of Justice:

(A) If support rights are, or were within the past five months, assigned to this or another state; or

(B) In any case where arrearage under a support order is assigned or owed to or the right to recover back support or state debt is held by this state or another state.

(b) Except as provided in subsection (6) of this section, the district attorney in cases other than those described in paragraph (a) of this subsection if an application as described in ORS 25.084 is made by the obligee, by the obligor, by a person having physical custody of a minor child or by a child attending school, as defined in ORS 107.108.

(2) The provisions of this section apply to support enforcement services for any order or judgment that is or could be entered under ORS 25.501 to 25.556 or 419B.400 or ORS chapter 107, 108, 109 or 110. The entity specified in subsection (1) of this section shall provide the support enforcement services on behalf of the State of Oregon and not on behalf of any other party or on behalf of a parent. The Department of Justice shall adopt rules addressing the provision of support enforcement services when the purposes of the state in providing those services may be contradictory in individual cases.

(3) Notwithstanding the division of responsibility for providing support enforcement services between the Division of Child Support and the district attorney as described in subsection (1) of this section, provision of support enforcement services may not be challenged on the basis that the entity providing the services in a particular case is not the entity responsible for the case under subsection (1) of this section.

(4) When responsible for providing support enforcement services and there is sufficient evidence available to support the action to be taken, the entity described in subsection (1) of this section:

(a) Shall establish and enforce any child support obligation;

(b) Shall establish [*paternity*] **genetic parentage**;

(c) Shall enforce spousal support when the obligee is living with the obligor's child for whom support enforcement services are being provided and those services are funded in part by federal moneys;

(d) May enforce any other order or judgment for spousal support;

(e) Shall, on behalf of the state, initiate and respond to child support modification proceedings based upon a substantial change of circumstances;

(f) Shall, on behalf of the state, initiate and respond to child support modification proceedings based upon a modification conducted under ORS 25.287 concerning existing child support orders;

(g) Shall establish and enforce obligations to provide medical insurance coverage for dependent children;

(h) Shall ensure compliance with the provisions of 42 U.S.C. 651 to 669 and 45 C.F.R. Chapter III as authorized by state law;

(i) Shall carry out the policy of the State of Oregon regarding child support obligations as expressed in ORS 25.502; and

(j) Shall ensure that child support orders are in compliance with the formula established by this chapter.

(5) In any proceeding under subsection (4) of this section, the parties are those described in ORS 25.503.

(6) The district attorney of any county and the department may provide by agreement for assumption by the Division of Child Support of the functions of the district attorney under subsection (1) of this section or for redistribution between the district attorney and the Division of Child Support of all or any portion of the duties, responsibilities and functions set forth in subsections (1) and (4) of this section.

(7) All county governing bodies and all district attorneys shall enter into child support cooperative agreements with the department. The following apply to this subsection:

(a) The agreements shall contain appropriate terms and conditions sufficient for the state to comply with all child support enforcement service requirements under federal law; and

(b) If this state loses any federal funds due to the failure of a county governing body or district attorney to either enter into an agreement under this subsection or to provide sufficient support enforcement service, the county shall be liable to the department for, and the liability shall be limited to, the amount of money the state determines it lost because of the failure. The state shall offset the loss from any moneys the state is holding for or owes the county or from any moneys the state would pay to the county for any purpose.

(8) The Department of Justice shall enter into an agreement with the Oregon District Attorneys Association to establish a position or positions to act as a liaison between the Division of Child Support and those district attorneys who provide support enforcement services under this section. The department shall fund the position or positions. The Oregon District Attorneys Association shall administer the liaison position or positions under the agreement. The liaison shall work to:

(a) Enhance the participation and interaction of the district attorneys in the development and implementation of Child Support Program policies and services; and

(b) Increase the effectiveness of child support enforcement services provided by the district attorneys.

(9) The district attorney or the Division of Child Support, whichever is appropriate, shall provide the services specified in subsections (1) and (4) of this section to any applicant, but may in their discretion, upon a determination and notice to the applicant that the prospect of successful recovery from the obligor of a portion of the delinquency or future payments is remote, require payment to the district attorney or the Division of Child Support of an application fee, in accordance with an application fee schedule established by rule by the department. If service performed results in the district attorney or the Division of Child Support recovering any support enforcement fees, the fees shall be paid to the applicant in an amount equal to the amount of the application fee.

(10) An obligee may request the Division of Child Support or a district attorney to cease all collection efforts if it is anticipated that physical or emotional harm will be caused to the parent or caretaker relative or the child for whom support was to have been paid. The department, by rule, shall set out the circumstances under which such requests shall be honored.

SECTION 90. ORS 25.501 is amended to read:

25.501. As used in ORS 25.501 to 25.556, unless the context requires otherwise:

(1) "Adjudicated youth" has the meaning given that term in ORS 419A.004.

(2) "Alleged genetic parent" has the meaning given that term in section 2 of this 2025 Act.

(3) "Combined relationship index" means the product of all tested relationship indices.

[*(2)*] **(4)** "Court" means any circuit court of this state and any court in another state having jurisdiction to determine the liability of persons for the support of another person.

[*(3)*] **(5)** "Court order" means any judgment or order of any Oregon court that orders payment of a set or determinable amount of support money by the subject parent and does not include an order or judgment in any proceeding in which the court did not order support.

[*(4)*] **(6)** "Department" means the Department of Justice of this state or its equivalent in any other state from which a written request for establishment or enforcement of a support obligation is received under ORS 25.511.

[*(5)*] **(7)** "Dependent child" means any person under the age of 18 who is not otherwise emancipated, self-supporting, married or a member of the Armed Forces of the United States. "Dependent child" also means a child attending school as defined in ORS 107.108.

(8) "Genetic testing" means an analysis of genetic markers to identify or exclude a genetic relationship.

[*(6)*] **(9)** "Office" means the office of the Division of Child Support or the office of the district attorney.

[*(7)*] **(10)** "Parent" means:

(a) The natural or adoptive [*father or mother*] **parent** of a dependent child or adjudicated youth;

(b) A person whose parentage has been established under ORS 109.065; or

(c) A stepparent when the person has an obligation to support a dependent child under ORS 108.045.

[*(8)*] **(11)** "Past support" means the amount of child support that could have been ordered and accumulated as arrears against a parent for the benefit

of a child for any period of time during which the child was not supported by the parent and for which period no support order was in effect.

[*(9)*] **(12)** "Public assistance" means any money payments made by the state that are paid to or for the benefit of any dependent child or adjudicated youth, including but not limited to payments made so that food, shelter, medical care, clothing, transportation or other necessary goods, services or items may be provided, and payments made in compensation for the provision of the necessities. "Public assistance" does not include money payments made by the state to or for the benefit of a dependent child as the result of the child's removal from the parent's home against the wishes of the parent, if the Department of Human Services determines after completion of a child protective services assessment that the report of abuse is unfounded according to rules adopted by the Department of Human Services.

(13) "Relationship index" means a likelihood ratio that compares the probability of a genetic marker given a hypothesized genetic relationship and the probability of the genetic marker given a genetic relationship between the child and a random individual of the ethnic or racial group used in the hypothesized genetic relationship.

SECTION 91. ORS 25.503 is amended to read:

25.503. (1) In any proceeding under ORS 25.501 to 25.556, the following are parties and shall be given notice of any such proceeding by the administrator:

(a) The State of Oregon.

(b) An obligee who has physical custody of a child for whose benefit a support order or an order establishing [*paternity*] **parentage** is sought, is being modified or is being enforced under ORS 25.501 to 25.556.

(c) A noncustodial parent or [*a male who is alleged to be the father*] **alleged genetic parent** of a child when an action is initiated under ORS 25.501 to 25.556 to establish, modify or enforce a support or [*paternity*] **parentage** order.

(d) A person joined as a party under subsection (2) of this section.

(2) Pursuant to administrative rule, a party may join a person who has physical custody of a child to a proceeding under ORS 25.501 to 25.556.

SECTION 92. ORS 25.505 is amended to read:

25.505. (1) In any individual case, commencing with the payment of public assistance, with the application for enforcement services under ORS 25.080 by an individual not receiving public assistance or upon receipt of a written request for enforcement of a support obligation from the state agency of another state responsible for administering the federal child support enforcement program, the administrator may take action under ORS 25.501 to 25.556. The administrator and, as appropriate, the administrative law judge, may establish, modify and terminate support orders, require health care coverage for dependent children, [*establish paternity and*] collect child support **and establish parentage of alleged genetic parents of children without presumed parents, acknowledged parents or adjudicated parents, as those terms are defined in section 2 of this 2025 Act, other than the persons who gave birth to the children**.

(2) The Department of Justice may make such rules as may be necessary or desirable for carrying out ORS 25.501 to 25.556.

SECTION 93. ORS 25.507 is amended to read:

25.507. (1) Except as otherwise provided in subsection (2) of this section, the administrator may act as the tribunal described in ORS 110.504 in the establishment of [*paternity*] **parentage** or of a child support order, or in the modification or enforcement of a child support order.

(2)(a) When a hearing is requested pursuant to ORS 25.513, the tribunal is the Office of Administrative Hearings, except as provided in ORS 25.550.

(b) When an order is appealed pursuant to ORS 25.513 (6), the tribunal is a circuit court.

SECTION 94. ORS 25.511 is amended to read:

25.511. (1)(a) At any time after the state is assigned support rights, a public assistance payment is made, an application for enforcement services under ORS 25.080 is made by an individual who is not a recipient of public assistance or a written request for enforcement of a support obligation is received from the state agency of another state responsible for administering the federal child support enforcement program, the administrator may, if there is no court order or administrative support order, issue a notice and finding of financial responsibility. The notice shall be served upon the parent in the manner prescribed for service of summons in a civil action, by certified mail, return receipt requested, or by any other mail service with delivery confirmation. Notices that involve the establishment of [*paternity*] **parentage** must be served by personal service. All notices may be personally served by the administrator.

(b) The administrator shall serve the notice and finding issued under this section upon the obligee. Service shall be by regular mail.

(2) The administrator shall include in the notice:

(a) A statement of the name of the caretaker relative or agency and the name of the dependent child for whom support is to be paid;

(b) A statement of the monthly support for which the parent shall be responsible;

(c) A statement of the past support for which the parent shall be responsible;

(d) A statement that the parent may be required to provide health care coverage for the dependent child whenever the coverage is available to the parent at a reasonable cost;

(e) To the extent known, a statement of:

(A) Whether there is pending in this state or any other jurisdiction any type of support proceeding involving the dependent child, including a proceeding

brought under ORS 25.287, 25.527, 107.085, 107.135, 107.431, 108.110, 109.100, 109.103, 109.165, 125.025 or 419B.400 or ORS chapter 110; and

(B) Whether there exists in this state or any other jurisdiction a support order, as defined in ORS 110.503, involving the dependent child;

(f) A statement that if the parent or the obligee desires to discuss the amount of support or health care coverage that the parent is required to pay or provide, the parent or the obligee may contact the office that sent the notice and request a negotiation conference. If no agreement is reached on the monthly support to be paid, the administrator may issue a new notice and finding of financial responsibility, which may be sent to the parent and to the obligee by regular mail addressed to the parent's and to the obligee's last-known address, or if applicable, the parent's or the obligee's attorney's last-known address;

(g) A statement that if the parent or the obligee objects to all or any part of the notice and finding of financial responsibility, then the parent or the obligee must send to the office issuing the notice, within 30 days of the date of service, a written response that sets forth any objections and requests a hearing;

(h) A statement that if such a timely response is received by the appropriate office, either the parent or the obligee or both shall have the right to a hearing; and that if no timely written response is received, the administrator may enter an order in accordance with the notice and finding of financial responsibility;

(i) A statement that as soon as the order is entered, the property of the parent is subject to collection action, including but not limited to wage withholding, garnishment and liens and execution thereon;

(j) A reference to ORS 25.501 to 25.556;

(k) A statement that both the parent and the obligee are responsible for notifying the office of any change of address or employment;

(L) A statement that if the parent has any questions, the parent should telephone or visit the appropriate office or consult an attorney; and

(m) Such other information as the administrator finds appropriate.

(3) If the [*paternity*] **parentage** of the dependent child has not been legally established, the notice and finding of financial responsibility shall also include:

(a) [*An allegation that the person is the*] **A statement that the person is the alleged genetic** parent of the dependent child;

(b) The name of the child's other parent;

(c) The child's date of birth;

(d) The probable time or period of time during which conception took place; and

(e) A statement that if the alleged **genetic** parent or the obligee does not timely send to the office issuing the notice a written response that denies [*paternity*] **parentage** and requests a hearing, then the administrator, without further notice to the alleged **genetic** parent, or to the obligee, may enter an order that declares and establishes the alleged **genetic** parent as the legal parent of the child.

(4) The statement of monthly future support required under subsection (2)(b) and the statement of past support required under subsection (2)(c) of this section are to be computed as follows:

(a) If there is sufficient information available concerning the parent's financial and living situation, the formula provided for in ORS 25.275 and 25.280 shall be used; or

(b) If there is insufficient information available to use the formula, an allegation of ability to pay shall be the basis of the statement.

(5) The parent or alleged **genetic** parent and the obligee shall have time to request a hearing as outlined in subsection (2)(g) of this section. The time limits may be extended by the administrator and are nonjurisdictional.

(6) If a timely written response setting forth objections and requesting a hearing is received by the appropriate office, a hearing shall be held under ORS 25.513.

(7) If no timely written response and request for hearing is received by the appropriate office, the administrator may enter an order in accordance with the notice, and shall include in that order:

(a) If the [*paternity*] **parentage** of the dependent child is established by the order, a declaration of that fact;

(b) The amount of monthly support to be paid, with directions on the manner of payment;

(c) The amount of past support to be ordered against the parent;

(d) Whether health care coverage is to be provided for the dependent child;

(e) The name of the caretaker relative or agency and the name and birthdate of the dependent child for whom support is to be paid; and

(f) A statement that the property of the parent is subject to collection action, including but not limited to wage withholding, garnishment and liens and execution thereon.

(8) The parent and the obligee shall be sent a copy of the order by regular mail addressed to the last-known address of each of the parties or if applicable, to the last-known address of an attorney of record for a party. The order is final, and action by the administrator to enforce and collect upon the order, including arrearages, may be taken from the date of issuance of the order.

(9) The provisions of ORS 107.108 apply to an order entered under this section for the support of a child attending school.

SECTION 95. ORS 25.550 is amended to read:

25.550. (1) The administrator may establish [*paternity*] **parentage** of a child in the course of a support proceeding under ORS 25.501 to 25.556 when both parents sign statements that [*paternity*] **parentage** has not been legally established and that the [*male parent is the father*] **alleged genetic parent is the parent** of the child. The administrator may

enter an order which establishes [*paternity*] **parentage**.

(2) If the **alleged genetic** parent fails to file a response denying [*paternity*] **parentage** and requesting a hearing within the time period allowed in ORS 25.511 (2), then the administrator, without further notice to the **alleged genetic** parent, may enter an order, in accordance with ORS 25.511 (7), which declares and establishes the parent as the legal [*father*] **parent** of the child.

(3) Any order entered pursuant to subsection (1) or (2) of this section establishes legal [*paternity*] **parentage** for all purposes. The Center for Health Statistics of the Oregon Health Authority shall amend the record of live birth for the child and issue a new certified copy of the record of live birth in the new name, if any, of the child. The original record of live birth shall be sealed and filed and may be opened only upon order of a court of competent jurisdiction.

(4)(a) If [*paternity*] **parentage** is alleged under ORS 25.511 (3) and a written response denying [*paternity*] **parentage** and requesting a hearing is received within the time period allowed in ORS 25.511 (2), or if the administrator determines that there is a valid issue with respect to [*paternity*] **parentage** of the child, the administrator, subject to the provisions of subsections (5) and (6) of this section, shall certify the matter to the circuit court for a determination based upon the contents of the file and any evidence which may be produced at trial. The proceedings in court shall for all purposes be deemed suits in equity. The provisions of ORS 109.145 to 109.230 apply to proceedings certified to court by the administrator pursuant to this section.

(b) Any response denying [*paternity*] **parentage** and requesting a hearing shall be sent by the enforcement office to the obligee by regular mail.

(5) An action to establish [*paternity*] **parentage** initiated under ORS 25.501 to 25.556 [*shall*] **may** not be certified to court for trial unless all of the following have occurred:

(a) [*Blood tests have*] **Genetic testing has** been conducted;

(b) The results of the [*blood tests*] **genetic testing** have been served upon the parties and notice has been given that an order establishing [*paternity*] **parentage** will be entered unless a written objection is received within 30 days; and

(c) A written objection to the entry of an order has been timely received from a party.

(6) Notwithstanding the provisions of subsection (5) of this section, the administrator:

(a) Shall certify the matter to court:

(A) Within 30 days of receipt by the administrator of a timely written objection to the entry of an order by a party under subsection (5)(c) of this section;

(B) When a party requests certification in writing after the administrator has received a party's written denial of [*paternity*] **parentage** if at least 120 days have elapsed from receipt of the denial; or

(C) Upon receipt of [*blood test results with a cumulative paternity index*] **genetic testing results with a combined relationship index** of less than 99; and

(b) May certify the matter to court at any time under any other circumstances.

(7) If the [*blood tests conducted under ORS 109.250 to 109.262 result in a cumulative paternity index*] **genetic testing conducted under sections 39 to 51 of this 2025 Act result in a combined relationship index** of 99 or greater, evidence of the tests, together with the testimony of the parent, shall be a sufficient basis upon which to establish [*paternity*] **parentage** and the administrator may enter an order declaring the [*alleged father*] **genetic parent** as the legal [*father*] **parent** of the child unless a party objects in writing to the entry of the order. The testimony of the parent may be presented by affidavit.

(8) Prior to certification to court, the administrator may attempt to resolve the issue of [*paternity*] **parentage** by discovery conducted under the Oregon Rules of Civil Procedure. Unless otherwise specifically provided by statute, the proceedings shall be conducted under the Oregon Rules of Civil Procedure.

(9) When, in accordance with subsection (6)(a)(A) of this section, a party objects to the entry of an order and the [*blood tests conducted under ORS 109.250 to 109.262 result in a cumulative paternity index*] **genetic testing conducted under sections 39 to 51 of this 2025 Act result in a combined relationship index** of 99 or greater, notwithstanding the party's objection, evidence of the tests, together with the testimony of a parent, is a sufficient basis upon which to presume [*paternity*] **parentage** for purposes of establishing temporary support under this section. The court shall, upon motion of any party, enter a temporary order requiring the [*alleged father*] **alleged genetic parent** to provide support pending the [*determination*] **adjudication** of parentage by the court. In determining the amount of support, the court shall use the formula established under ORS 25.275.

SECTION 96. ORS 25.552 is amended to read:

25.552. (1) Except as provided in subsection (2) of this section, when a response denying [*paternity*] **parentage** and requesting a hearing is received pursuant to ORS 25.511 (3), or [*paternity*] **parentage** is a valid issue as determined by the administrator under ORS 25.550, the certification to the circuit court shall be to the court in the judicial district [*where the parent or dependent child resides.*]**:**

(a) Where the child resides or is located;

(b) If the child does not reside in this state, where the alleged genetic parent resides or is located; or

(c) If the parent who gave birth to the child or the child's alleged genetic parent is deceased, where the estate of the deceased individual is being administered.

(2) Notwithstanding subsection (1) of this section, if there is an Oregon juvenile court case regarding the dependent child, the matter may be certified to the county that has jurisdiction of the juvenile court case.

(3) The certification shall include true copies of the notice and finding of financial responsibility, the return of service, the denial of [*paternity*] **parentage** and request for hearing and any other relevant papers.

(4) The court shall set the matter for trial and notify the parties of the time and place of trial.

(5) If [*paternity*] **parentage** is established, the monthly support and the amount of past support to be ordered may be established under ORS 25.513.

SECTION 97. ORS 25.554 is amended to read:

25.554. [*(1) As used in this section, "blood tests" has the meaning given that term in ORS 109.251.*]

[*(2)*] **(1) Except as provided in subsection (9) of this section,** no later than one year after an order establishing [*paternity*] **parentage** is entered under ORS 25.529 and if [*blood tests have*] **genetic testing has** not been completed, a party may apply to the administrator to have the issue of [*paternity*] **parentage** reopened and for an order for [*blood tests*] **genetic testing**.

[*(3)*] **(2)** No later than one year after a voluntary acknowledgment of [*paternity*] **parentage** is filed in this state and if [*blood tests have*] **genetic testing has** not been completed, a party to the acknowledgment, or the Department of Human Services if the child named in the acknowledgment is in the care and custody of the department under ORS chapter 419B, may apply to the administrator for services under ORS 25.080 and for an order for [*blood tests*] **genetic testing**.

[*(4)*] **(3)** Upon receipt of a timely application, the administrator shall order:

(a) The [*mother and the male party to submit to blood tests*] **parent who gave birth to the child and the individual whose parentage is being determined to submit to genetic testing**; and

(b) The person having physical custody of the child to submit the child to [*blood tests*] **genetic testing**.

[*(5)*] **(4)** If a party refuses to comply with an order under subsection [*(4)*] **(3)** of this section, the issue of [*paternity*] **parentage** shall, upon the motion of the administrator, be resolved against that party by an order of the court either affirming or setting aside**:**

(a) The order establishing [*paternity or*] **parentage; or**

(b) The voluntary acknowledgment of [*paternity*] **parentage**.

[*(6)*] **(5)** If the results of the [*blood tests*] **genetic testing** exclude [*the male party as the biological father*] **as the genetic parent** of the child **the individual whose parentage is to be determined**, the administrator may file a motion with the court**:**

(a) For an order setting aside**:**

(A) The order establishing [*paternity or*] **parentage; or**

(B) The voluntary acknowledgment of [*paternity*] **parentage;** and

(b) For a judgment of [*nonpaternity*] **nonparentage**.

[*(7)*] **(6)** Support paid before [*an order establishing paternity or a voluntary acknowledgment of paternity is set aside under*] **the entry of an order described in subsection (5) of** this section may not be returned to the payer.

[*(8)*] **(7)** The administrator shall send a court-certified true copy of a judgment of [*nonpaternity*] **nonparentage** to the State Registrar of the Center for Health Statistics. Upon receipt of the judgment, the state registrar shall correct any records maintained by the state registrar that indicate that the [*male party*] **individual** is the parent of the child.

[*(9)*] **(8)** The Child Support Program shall pay any state registrar fees and any costs for [*blood tests*] **genetic testing** ordered under this section, subject to recovery from the party who requested the tests.

(9) The administrator may not reopen the issue of parentage and order genetic testing under this section if the voluntary acknowledgment of parentage established parentage as provided in ORS 109.070 (1)(a)(B), the parties to the acknowledgment are married at the time of the application and the application is made by the Department of Human Services, unless both parties to the acknowledgment consent to the application.

SECTION 98. ORS 25.554, as amended by section 97 of this 2025 Act, is amended to read:

25.554. (1) Except as provided in subsection (9) of this section, no later than one year after an order establishing parentage is entered under ORS 25.529 and if genetic testing has not been completed, a party may apply to the administrator to have the issue of parentage reopened and for an order for genetic testing.

(2) No later than one year after a voluntary acknowledgment of parentage **or denial of parentage** is filed in this state and if genetic testing has not been completed, a party to the acknowledgment **or denial**, or the Department of Human Services if the child named in the acknowledgment **or denial** is in the care and custody of the department under ORS chapter 419B, may apply to the administrator for services under ORS 25.080 and for an order for genetic testing.

(3) Upon receipt of a timely application, the administrator shall order:

(a) The parent who gave birth to the child and the individual whose parentage is being determined to submit to genetic testing; and

(b) The person having physical custody of the child to submit the child to genetic testing.

(4) If a party refuses to comply with an order under subsection (3) of this section, the issue of parentage shall, upon the motion of the administra-

tor, be resolved against that party by an order of the court either affirming or setting aside:

(a) The order establishing parentage; [*or*]

(b) The voluntary acknowledgment of parentage **and, if applicable, denial of parentage; or**

(c) The denial of parentage and associated voluntary acknowledgment of parentage.

(5) If the results of the genetic testing exclude as the genetic parent of the child the individual whose parentage is to be determined, the administrator may file a motion with the court:

(a) For an order setting aside:

(A) The order establishing parentage; [*or*]

(B) The voluntary acknowledgment of parentage **and, if applicable, denial of parentage; or**

(C) The denial of parentage and associated voluntary acknowledgment of parentage; and

(b) For a judgment of nonparentage.

(6) Support paid before the entry of an order described in subsection (5) of this section may not be returned to the payer.

(7) The administrator shall send a court-certified true copy of a judgment of nonparentage to the State Registrar of the Center for Health Statistics. Upon receipt of the judgment, the state registrar shall correct any records maintained by the state registrar that indicate that the individual is the parent of the child.

(8) The Child Support Program shall pay any state registrar fees and any costs for genetic testing ordered under this section, subject to recovery from the party who requested the tests.

(9) The administrator may not reopen the issue of parentage and order genetic testing under this section if**:**

(a) The voluntary acknowledgment of parentage form was signed by an intended parent of a child conceived by assisted reproduction or by a presumed parent; or

(b) The voluntary acknowledgment of parentage established parentage as provided in ORS 109.070 (1)(a)(B), the parties to the acknowledgment are married at the time of the application and the application is made by the Department of Human Services, unless both parties to the acknowledgment consent to the application.

SECTION 99. ORS 25.793 is amended to read:

25.793. (1) Subject to the limitations provided in subsection (2) of this section, the Division of Child Support of the Department of Justice may enter into agreements with other divisions of the Department of Justice or with the Department of Revenue for the provision of information reported to the Division of Child Support by an employer pursuant to ORS 25.790 regarding hiring or rehiring or the engagement or reengagement of individuals in this state. The information may be used for purposes other than [*paternity*] **parentage** establishment or child support enforcement, including but not limited to debt collection.

(2) Information provided by the division under this section is limited to information reported pursuant to ORS 25.790 that has not yet been entered into either:

(a) The statewide automated data processing and information retrieval system required to be established and operated by the division under 42 U.S.C. 654a; or

(b) The automated state directory of new hires required to be established by the division under 42 U.S.C. 653a.

(3) An agreement entered into under this section must include, but is not limited to, provisions describing:

(a) How the information is to be reported or transferred from the division;

(b) Fees, reimbursements and other financial responsibilities of the recipient in exchange for receipt of the information from the division, not to exceed actual expenses;

(c) Coordination of data systems to facilitate the sharing of the information; and

(d) Such other terms and requirements as are necessary to accomplish the objectives of the agreement.

(4) An agreement entered into under this section is subject to the approval of the Department of Justice.

SECTION 100. ORS 163.555 is amended to read:

163.555. (1) A person commits the crime of criminal nonsupport if, being the parent, lawful guardian or other person lawfully charged with the support of a child under 18 years of age, born in or out of wedlock, the person knowingly fails to provide support for such child.

(2) It is no defense to a prosecution under this section that either parent has contracted a subsequent marriage, that issue has been born of a subsequent marriage, that the defendant is the parent of issue born of a prior marriage [*or*]**,** that the child is being supported by another person or agency **or that the defendant was adjudicated not to be a parent of the child under section 28 of this 2025 Act**.

(3) It is an affirmative defense to a prosecution under this section that the defendant has a lawful excuse for failing to provide child support.

(4) If the defendant intends to rely on the affirmative defense created in subsection (3) of this section, the defendant must give the district attorney written notice of the intent to do so at least 30 days prior to trial. The notice must describe the nature of the lawful excuse upon which the defendant proposes to rely. If the defendant fails to file notice as required by this subsection, the defendant may not introduce evidence of a lawful excuse unless the court finds there was just cause for the defendant's failure to file the notice within the required time.

(5) Criminal nonsupport is a Class C felony.

MISCELLANEOUS PROCEDURE

SECTION 101. UPA 616. Consolidating proceedings. (1) Except as otherwise provided in subsection (2) of this section and subject to mandatory consolidation under ORS 419B.806, the court may consolidate a proceeding to adjudicate parentage of a child with a proceeding for adoption, termination of parental rights, juvenile dependency, child custody or visitation, child support, dissolution, annulment, legal separation, administration of an estate or other proceeding in which parentage of the child is a relevant fact.

(2) A respondent may not consolidate a proceeding described in this section with a proceeding to adjudicate parentage brought under ORS chapter 110.

SECTION 102. UPA 623. Binding effect of determination of parentage. (1) Except as otherwise provided in subsection (2) of this section:

(a) A signatory to an acknowledgment of parentage is bound by the acknowledgment as provided in ORS 25.554, 109.070, 109.072 and 432.098; and

(b) A parent to an adjudication of parentage by a court acting under circumstances that satisfy the jurisdiction requirements of ORS 110.518 and any individual who received notice of the proceeding are bound by the adjudication.

(2) A child is bound by a determination of parentage only if:

(a) The determination was based on an unrescinded acknowledgment of parentage and the acknowledgment is consistent with the results of genetic testing;

(b) The determination was based on a finding consistent with the results of genetic testing and the consistency is declared in the determination or otherwise shown;

(c) The child was conceived by assisted reproduction, including under a gestational surrogacy agreement, and the determination of parentage was made under sections 55 to 62 or 63 to 74 of this 2025 Act; or

(d) The child was a party or was represented by an attorney in the proceeding.

(3) In a proceeding for dissolution, annulment or legal separation, the court is deemed to have made an adjudication of parentage of a child if the court acts under circumstances that satisfy the jurisdiction requirements of ORS 110.518 and the final judgment:

(a) Expressly identifies the child as a "child of the marriage" or "issue of the marriage" or includes similar words indicating that both spouses are parents of the child; or

(b) Provides for support of the child by a spouse unless that spouse's parentage of the child is disclaimed specifically in the judgment.

(4) Except as otherwise provided in subsection (2) of this section or ORS 109.070, a determination of parentage may be asserted as a defense in a subsequent proceeding seeking to adjudicate parentage of an individual who was not a party to the earlier proceeding.

(5) A party to an adjudication of parentage may challenge the adjudication only under ORS 109.072.

SECTION 103. Section 102 of this 2025 Act is amended to read:

Sec. 102. (1) Except as otherwise provided in subsection (2) of this section:

(a) A signatory to an acknowledgment of parentage **or denial of parentage** is bound by the acknowledgment **and denial** as provided in ORS 25.554, 109.070, 109.072 and 432.098; and

(b) A parent to an adjudication of parentage by a court acting under circumstances that satisfy the jurisdiction requirements of ORS 110.518 and any individual who received notice of the proceeding are bound by the adjudication.

(2) A child is bound by a determination of parentage only if:

(a) The determination was based on an unrescinded acknowledgment of parentage and the acknowledgment is consistent with the results of genetic testing;

(b) The determination was based on a finding consistent with the results of genetic testing and the consistency is declared in the determination or otherwise shown;

(c) The child was conceived by assisted reproduction, including under a gestational surrogacy agreement, and the determination of parentage was made under sections 55 to 62 or 63 to 74 of this 2025 Act; or

(d) The child was a party or was represented by an attorney in the proceeding.

(3) In a proceeding for dissolution, annulment or legal separation, the court is deemed to have made an adjudication of parentage of a child if the court acts under circumstances that satisfy the jurisdiction requirements of ORS 110.510 and the final judgment:

(a) Expressly identifies the child as a "child of the marriage" or "issue of the marriage" or includes similar words indicating that both spouses are parents of the child; or

(b) Provides for support of the child by a spouse unless that spouse's parentage of the child is disclaimed specifically in the judgment.

(4) Except as otherwise provided in subsection (2) of this section or ORS 109.070, a determination of parentage may be asserted as a defense in a subsequent proceeding seeking to adjudicate parentage of an individual who was not a party to the earlier proceeding.

(5) A party to an adjudication of parentage may challenge the adjudication only under ORS 109.072.

SECTION 104. UPA 1001. Uniformity of application and construction. In applying and construing sections 39 to 51, 55 to 62, 63 to 74 and 84 to 88 of this 2025 Act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact the uniform parentage act.

SECTION 105. UPA 1002. Relation to Electronic Signatures in Global and National Commerce Act. Sections 39 to 51, 55 to 62, 63 to 74 and 84 to 88 of this 2025 Act modify, limit and supersede the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. 7001, et seq, but do not modify, limit or supersede 15 U.S.C. 7001(c), or authorize electronic delivery of any notice described in 15 U.S.C. 7003(b).

SECTION 106. ORS 3.260 is amended to read:

3.260. (1) The circuit courts and the judges thereof shall exercise all juvenile court jurisdiction, authority, powers, functions and duties.

(2) Pursuant to ORS 3.275, in addition to any other jurisdiction vested in it by law, the circuit court shall exercise exclusive and original judicial jurisdiction, authority, powers, functions, and duties in the judicial district in any or all of the following matters that on the date specified in the order entered under ORS 3.275 are not within the jurisdiction of the circuit court:

(a) Adoption.

(b) Change of name under ORS 33.410.

(c) [*Filiation.*] **Adjudications of parentage.**

(d) Commitment of persons with mental illness or mental retardation.

(e) Any suit or civil proceeding involving custody or other disposition of a child or the support thereof or the support of a spouse, including enforcement of the Uniform Reciprocal Enforcement of Support Act and enforcement of out-of-state or foreign judgments and decrees on domestic relations.

(f) Waivers of the three-day waiting period before a marriage license becomes effective under ORS 106.077.

(g) Issuance of delayed reports of live birth.

SECTION 107. ORS 419B.806 is amended to read:

419B.806. (1) As used in this section, "consolidated" means that actions are heard before one judge of the circuit court to determine issues regarding a child or ward.

(2) In any action filed in the juvenile court in which the legal or physical custody of a child or ward is at issue and there is also a child custody, parenting time, visitation, restraining order, [*filiation*] **adjudication of parentage** or Family Abuse Prevention Act action involving the child or ward in a domestic relations, [*filiation*] **adjudication of parentage** or guardianship proceeding, the matters shall be consolidated. Actions must be consolidated under this subsection regardless of whether the actions to be consolidated were filed or initiated before or after the filing of the petition under ORS 419B.100.

(3) Consolidation does not merge the procedural or substantive law of the individual actions. Parties to the individual consolidated actions do not have standing, solely by virtue of the consolidation, in every action subject to the order of consolidation. Parties must comply with provisions for intervention or participation in a particular action under the provisions of law applicable to that action.

(4) Upon entry of an order of consolidation, all pending issues pertaining to the actions subject to the order shall be heard together in juvenile court. The court shall hear the juvenile matters first unless the court finds that it is in the best interest of the child or ward to proceed otherwise.

(5) A judge shall make and modify orders and findings in actions subject to the order of consolidation upon the filing of proper motions and notice as provided by law applicable to the actions. Any findings, orders or modifications must be consistent with the juvenile court orders, and persons who were parties to the juvenile court action may not relitigate issues in consolidated actions.

(6) The judge shall set out separately from orders entered under this chapter or ORS chapter 419C any orders or judgments made in other actions subject to the consolidation order. The trial court administrator shall file the orders and judgments in the appropriate actions subject to the consolidation order. An order or judgment in an individual juvenile court action is final if it finally disposes of the rights and duties of the parties to that action, without reference to whether the order or judgment disposes of the rights and duties of the parties to another action with which the action has been consolidated.

(7)(a) When the actions described in subsection (2) of this section exist in two or more circuit courts, the judges assigned to the actions shall confer to determine the appropriate court in which to consolidate and hear the actions. The judges shall confer not later than 10 judicial days after a court has received notice of the existence of an action in another circuit court.

(b) If the judges agree on the circuit court in which the actions should be consolidated, the judges shall take such action as is necessary to consolidate the actions in the circuit court.

(c) If the judges do not agree on the circuit court in which the actions should be consolidated, the actions must be consolidated in the court in which the juvenile action is filed or, if more than one juvenile action is pending, in the court in which the first juvenile action was filed.

(8) Nothing in this section requires the consolidation of any administrative proceeding under ORS 25.501 to 25.556 or ORS chapter 25 with a juvenile court or other action.

SECTION 108. ORS 419B.819 is amended to read:

419B.819. (1) A court may make an order establishing permanent guardianship under ORS 419B.365

or terminating parental rights under ORS 419B.500, 419B.502, 419B.504, 419B.506 or 419B.508 only after service of summons and a true copy of the petition on the parent, as provided in ORS 419B.812, 419B.823, 419B.824, 419B.827, 419B.830 and 419B.833. [*A putative father*] **An alleged genetic parent** who satisfies the criteria set out in ORS 419B.839 (1)(d) or 419B.875 (1)(a)(C) also must be served with summons and a true copy of the petition, unless a court of competent jurisdiction has found [*him*] **the alleged genetic parent** not to be the child or ward's legal or [*biological father*] **genetic parent** or [*he*] **the alleged genetic parent** has filed a petition for [*filiation*] **adjudication of parentage** that was dismissed and no appeal of the judgment or order is pending.

(2) A summons under this section must require one of the following:

(a) That the parent appear personally before the court at the time and place specified in the summons for a hearing on the allegations of the petition;

(b) That the parent appear personally before the court at the time and place specified in the summons to admit or deny the allegations of the petition; or

(c) That the parent file a written answer to the petition within 30 days from the date on which the parent is served with the summons.

(3) If the court does not direct the type of response to be required by the summons under subsection (2) of this section, the summons shall require the parent to respond in the manner authorized by subsection (2)(c) of this section.

(4) A summons under this section must contain:

(a) A statement that the rights of the parent are proposed to be terminated or, if the petition seeks to establish a permanent guardianship, that a permanent guardianship is proposed to be established.

(b) A statement that, if the parent fails to appear at the time and place specified in the summons or in an order under ORS 419B.820 or, if the summons requires the filing of a written answer, fails to file the answer within the time provided, the court may, without further notice and in the parent's absence, terminate the parent's rights or grant the guardianship petition, either on the date specified in the summons or order or on a future date, and may take any other action that is authorized by law.

(c) A notice that the parent has the right to be represented by an attorney. The notice must be in substantially the following form:

_____

You have a right to be represented by an attorney. If you wish to be represented by an attorney, please retain one as soon as possible to represent you in this proceeding. If you cannot afford to hire an attorney and you meet the state's financial guidelines, you are entitled to have an attorney appointed for you at state expense. To request appointment of an attorney to represent you at state expense, you must contact the juvenile court immediately. Phone _____ for further information.

_____

(d) A statement that, if the parent is represented by an attorney, the parent has the responsibility to maintain contact with the parent's attorney and to keep the attorney advised of the parent's whereabouts.

(e) A statement that, if the parent is represented by an attorney, the parent must appear personally at any hearing where the parent is required to appear. The statement must explain that "appear personally" does not include appearance through the parent's attorney.

(f) A statement that, if the court has granted the parent an exception in advance under ORS 419B.918, the parent may appear in any manner permitted by the court under ORS 419B.918.

(5) If the summons requires the parent to appear before the court to admit or deny the allegations of the petition or requires the parent to file a written answer to the petition, the summons must advise the parent that, if the parent contests the petition, the court:

(a) Will schedule a hearing on the allegations of the petition and order the parent to appear personally; and

(b) May schedule other hearings related to the petition and order the parent to appear personally.

(6) At a hearing, when the parent is required to appear personally, or in the parent's written answer to the petition, the parent shall inform the court and the petitioner of the parent's current residence address, mailing address and telephone number.

(7) If a parent fails to appear for any hearing related to the petition, or fails to file a written answer, as directed by summons or court order under this section or ORS 419B.820, the court, without further notice and in the parent's absence, may:

(a) Terminate the parent's rights or, if the petition seeks to establish a permanent guardianship, grant the guardianship petition either on the date specified in the summons or order or on a future date; and

(b) Take any other action that is authorized by law.

(8) If the summons requires the parent to appear personally before the court, or if a court orders the parent to appear personally at a hearing in the manner provided in ORS 419B.820, the parent may not appear through the parent's attorney.

(9) If a guardian ad litem has been appointed for a parent under ORS 419B.231, a copy of the summons served on the parent under this section must be provided to the guardian ad litem.

CONFORMING AMENDMENTS

SECTION 109. ORS 18.052 is amended to read:

18.052. (1) A judge rendering a judgment shall file with the court administrator a judgment document that incorporates the judgment. The judge must sign the judgment document unless the court administrator is authorized by law to sign the judg-

ment document. Before signing a judgment document, the judge shall ensure that all requirements imposed by law for entry of the judgment have been fulfilled, including the making of any written findings of fact or conclusions of law. If a proposed judgment document submitted under ORS 18.035 does not comply with the requirements of ORS 18.038, 18.042 and 18.048, the judge may not sign the judgment document. If a proposed judgment document submitted under ORS 18.035 establishes [*paternity*] **parentage** or includes a provision concerning support, but does not comply with the requirements of ORS 25.020 (8), the judge may not sign the judgment document. Unless the judgment is exempt under ORS 18.038 (2), the judge shall ensure that the title of the judgment document indicates whether the judgment is a limited judgment, general judgment or supplemental judgment. If the judgment is a limited judgment rendered under the provisions of ORCP 67 B, the judge must determine that there is no just reason for delay, but the judgment document need not reflect that determination if the title of the judgment document indicates that the judgment is a limited judgment.

(2) A court administrator who signs a judgment under authority granted by law has the same duties as a judge under the provisions of this section.

(3) This section does not apply to justice courts, municipal courts or county courts performing judicial functions.

SECTION 110. ORS 21.155 is amended to read:

21.155. A circuit court shall collect a filing fee of $301 when a complaint or other document is filed for the purpose of commencing one of the following proceedings and when an answer or other first appearance is filed in the proceeding:

(1) Proceedings for dissolution of marriage, annulment of marriage or separation.

(2) [*Filiation*] Proceedings **to adjudicate parentage** under ORS 109.124 to 109.230.

(3) Proceedings under ORS 108.110, 109.100 and 109.103.

SECTION 111. ORS 37.220 is amended to read:

37.220. (1) Except as otherwise ordered by the court, the entry of an order appointing a receiver operates as a stay, applicable to all persons, of:

(a) The commencement or continuation, including the issuance or employment of process, of a judicial, administrative or other action or proceeding against the owner that was or could have been commenced before the entry of the order of appointment, or to recover a claim against the owner that arose before the entry of the order of appointment;

(b) The enforcement, against the owner or any estate property, of a judgment entered before the entry of the order of appointment;

(c) Any act to obtain possession of estate property from the receiver, or to interfere with, or exercise control over, estate property;

(d) Any act to create, perfect or enforce any lien or claim against estate property, to the extent that the lien secures a claim against the owner that arose before the entry of the order of appointment;

(e) Any act to collect, assess or recover a claim against the owner that arose before the entry of the order of appointment; or

(f) The exercise of a right of setoff against the owner.

(2) The stay automatically expires as to the acts specified in subsection (1)(a), (b) and (e) of this section six months after the entry of the order of appointment, unless the stay is extended by court order.

(3) A person whose action or proceeding is stayed may move the court for relief from the stay, and the court shall grant such relief for good cause shown. A motion for relief from stay under this subsection is deemed granted if the court does not act on the motion within 60 days after the motion is filed. A person may move the court ex parte for an expedited hearing on a motion for relief from stay.

(4) Any judgment obtained against the owner or estate property after entry of the order of appointment is not a lien against estate property unless the receivership is terminated before a conveyance of the property against which the judgment would otherwise constitute a lien.

(5) The entry of an order appointing a receiver does not operate as a stay of:

(a) The continuation of a judicial or nonjudicial foreclosure action that was initiated by the party seeking the receiver's appointment, unless otherwise ordered by the court;

(b) The commencement or continuation of a criminal action against the owner;

(c) The commencement or continuation of an action or proceeding to establish [*paternity*] **parentage**, to establish or modify an order for spousal or child support or to collect spousal or child support under any order of a court;

(d) Any act to perfect, or to maintain or continue the perfection of, an interest in estate property if the interest perfected would be effective against a creditor of the owner holding at the time of the entry of the order of appointment either a perfected nonpurchase money security interest under ORS chapter 79 against the property, or a lien by attachment, levy or the like, including liens under ORS chapter 87, whether or not such a creditor exists, except that if perfection of an interest would require seizure of the property involved or the commencement of an action, the perfection may and must instead be accomplished by filing and serving on the receiver notice of the interest within the time fixed by law for seizure or commencement;

(e) The commencement or continuation of an action or proceeding by a governmental unit to enforce its police or regulatory power;

(f) The enforcement of a judgment, other than a money judgment, obtained in an action or proceeding by a governmental unit to enforce its police or regulatory power, or with respect to any licensure of the owner; or

(g) The establishment by a governmental unit of any tax liability and any appeal thereof.

(6) The court may void an act that violates the stay imposed by this section.

(7) If a person knowingly violates the stay imposed by this section, the court may:

(a) Award actual damages caused by the violation, reasonable attorney fees and costs; and

(b) Sanction the violation as civil contempt.

(8) The stay described in this section expires upon the termination of the receivership.

SECTION 112. ORS 107.105 is amended to read:

107.105. (1) Whenever the court renders a judgment of marital annulment, dissolution or separation, the court may provide in the judgment:

(a) For the future care and custody, by one party or jointly, of all minor children of the parties born, adopted or conceived during the marriage and for minor children born to the parties prior to the marriage, as the court may deem just and proper under ORS 107.137. The court may hold a hearing to decide the custody issue prior to any other issues. When appropriate, the court shall recognize the value of close contact with both parents and encourage joint parental custody and joint responsibility for the welfare of the children.

(b) For parenting time rights of the parent not having custody of such children and for visitation rights pursuant to a petition filed under ORS 109.119. When a parenting plan has been developed as required by ORS 107.102, the court shall review the parenting plan and, if approved, incorporate the parenting plan into the court's final order. When incorporated into a final order, the parenting plan is determinative of parenting time rights. If the parents have been unable to develop a parenting plan or if either of the parents requests the court to develop a detailed parenting plan, the court shall develop the parenting plan in the best interest of the child, ensuring the noncustodial parent sufficient access to the child to provide for appropriate quality parenting time and ensuring the safety of the parties, if implicated. The court shall deny parenting time to a parent under this paragraph if the court finds that the parent has been convicted of rape under ORS **163.355,** 163.365 or 163.375 or other comparable law of another jurisdiction and the rape resulted in the conception of the child. Otherwise, the court may deny parenting time to the noncustodial parent under this subsection only if the court finds that parenting time would endanger the health or safety of the child. In the case of a noncustodial parent who has a disability as defined by the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), the court may consider the noncustodial parent's disability in determining parenting time only if the court finds that behaviors or limitations related to the noncustodial parent's disability are endangering or will likely endanger the health, safety or welfare of the child. The court shall recognize the value of close contact with both parents and encourage, when practicable, joint responsibility for the welfare of such children and extensive contact between the minor children of the divided marriage and the parties. If the court awards parenting time to a noncustodial parent who has committed abuse, other than being convicted for rape as described in this paragraph, the court shall make adequate provision for the safety of the child and the other parent in accordance with the provisions of ORS 107.718 (6).

(c) For the support of the children of the marriage by the parties. In ordering child support, the formula established under ORS 25.275 shall apply. The court may at any time require an accounting from the custodial parent with reference to the use of the money received as child support. The court is not required to order support for any minor child who has become self-supporting, emancipated or married or for any child who has ceased to attend school after becoming 18 years of age. A general judgment entered under this section may include an amount for support as requested in a petition filed under ORS 107.085 or under a motion for relief made pursuant to ORS 107.095 (1)(b) for which a limited judgment was not entered, payment of which commences no earlier than the date the petition or motion was served on the nonrequesting party, and the amount shall be considered a request for relief that has been decided by the general judgment for purposes of ORS 18.082 (3).

(d) For spousal support, an amount of money for a period of time as may be just and equitable for one party to contribute to the other, in gross or in installments or both. Unless otherwise expressly provided in the judgment and except for any unpaid balance of previously ordered spousal support, liability for the payment of spousal support shall terminate on the death of either party, and there shall be no liability for either the payment of spousal support or for any payment in cash or property as a substitute for the payment of spousal support after the death of either party. The court may approve an agreement for the entry of an order for the support of a party. A general judgment entered under this section may include an amount for support as requested in a petition filed under ORS 107.085 or under a motion for relief made pursuant to ORS 107.095 (1)(b) for which a limited judgment was not entered, payment of which commences no earlier than the date the petition or motion was served on the nonrequesting party, and the amount shall be considered a request for relief that has been decided by the general judgment for purposes of ORS 18.082 (3). In making the spousal support order, the court shall designate one or more categories of spousal support and shall make findings of the relevant factors in the decision. The court may order:

(A) Transitional spousal support as needed for a party to attain education and training necessary to allow the party to prepare for reentry into the job market or for advancement therein. The factors to be considered by the court in awarding transitional spousal support include but are not limited to:

(i) The duration of the marriage;

(ii) A party's training and employment skills;

(iii) A party's work experience;
(iv) The financial needs and resources of each party;
(v) The tax consequences to each party;
(vi) A party's custodial and child support responsibilities; and
(vii) Any other factors the court deems just and equitable.
(B) Compensatory spousal support when there has been a significant financial or other contribution by one party to the education, training, vocational skills, career or earning capacity of the other party and when an order for compensatory spousal support is otherwise just and equitable in all of the circumstances. The factors to be considered by the court in awarding compensatory spousal support include but are not limited to:
(i) The amount, duration and nature of the contribution;
(ii) The duration of the marriage;
(iii) The relative earning capacity of the parties;
(iv) The extent to which the marital estate has already benefited from the contribution;
(v) The tax consequences to each party; and
(vi) Any other factors the court deems just and equitable.
(C) Spousal maintenance as a contribution by one spouse to the support of the other for either a specified or an indefinite period. The factors to be considered by the court in awarding spousal maintenance include but are not limited to:
(i) The duration of the marriage;
(ii) The age of the parties;
(iii) The health of the parties, including their physical, mental and emotional condition;
(iv) The standard of living established during the marriage;
(v) The relative income and earning capacity of the parties, recognizing that the wage earner's continuing income may be a basis for support distinct from the income that the supported spouse may receive from the distribution of marital property;
(vi) A party's training and employment skills;
(vii) A party's work experience;
(viii) The financial needs and resources of each party;
(ix) The tax consequences to each party;
(x) A party's custodial and child support responsibilities; and
(xi) Any other factors the court deems just and equitable.
(e) For the delivery to one party of such party's personal property in the possession or control of the other at the time of the giving of the judgment.
(f) For the division or other disposition between the parties of the real or personal property, or both, of either or both of the parties as may be just and proper in all the circumstances. In determining the division of property under this paragraph, the following apply:
(A) A retirement plan or pension or an interest therein shall be considered as property.
(B) The court shall consider the contribution of a party as a homemaker as a contribution to the acquisition of marital assets.
(C) Except as provided in subparagraph (D) of this paragraph, there is a rebuttable presumption that both parties have contributed equally to the acquisition of property during the marriage, whether such property is jointly or separately held.
(D)(i) Property acquired by gift to one party during the marriage and separately held by that party on a continuing basis from the time of receipt is not subject to a presumption of equal contribution under subparagraph (C) of this paragraph.
(ii) For purposes of this subparagraph, "property acquired by gift" means property acquired by one party through gift, devise, bequest, operation of law, beneficiary designation or inheritance.
(E) Subsequent to the filing of a petition for annulment or dissolution of marriage or separation, the rights of the parties in the marital assets shall be considered a species of co-ownership, and a transfer of marital assets under a judgment of annulment or dissolution of marriage or of separation entered on or after October 4, 1977, shall be considered a partitioning of jointly owned property.
(F) The court shall require full disclosure of all assets by the parties in arriving at a just property division.
(G) In arriving at a just and proper division of property, the court shall consider reasonable costs of sale of assets, taxes and any other costs reasonably anticipated by the parties.
(H)(i) If a party has been awarded spousal support in lieu of a share of property, the court shall so state on the record and shall order the obligor to provide for and maintain life insurance in an amount commensurate with the obligation and designating the obligee as beneficiary for the duration of the obligation.
(ii) The obligee or attorney of the obligee shall cause a certified copy of the judgment to be delivered to the life insurance company or companies.
(iii) If the obligee or the attorney of the obligee delivers a true copy of the judgment to the life insurance company or companies, identifying the policies involved and requesting such notification under this section, the company or companies shall notify the obligee, as beneficiary of the insurance policy, whenever the policyholder takes any action that will change the beneficiary or reduce the benefits of the policy. Either party may request notification by the insurer when premium payments have not been made. If the obligor is ordered to provide for and maintain life insurance, the obligor shall provide to the obligee a true copy of the policy. The obligor shall also provide to the obligee written notice of any action that will reduce the benefits or change the designation of the beneficiaries under the policy.
(g) For the creation of trusts as follows:
(A) For the appointment of one or more trustees to hold, control and manage for the benefit of the children of the parties, of the marriage or otherwise such of the real or personal property of either or

both of the parties, as the court may order to be allocated or appropriated to their support and welfare, and to collect, receive, expend, manage or invest any sum of money awarded for the support and welfare of minor children of the parties.

(B) For the appointment of one or more trustees to hold, manage and control such amount of money or such real or personal property of either or both of the parties, as may be set aside, allocated or appropriated for the support of a party.

(C) For the establishment of the terms of the trust and provisions for the disposition or distribution of such money or property to or between the parties, their successors, heirs and assigns after the purpose of the trust has been accomplished. Upon petition of a party or a person having an interest in the trust showing a change of circumstances warranting a change in the terms of the trust, the court may make and direct reasonable modifications in its terms.

(h) To change the name of either spouse to a name the spouse held before the marriage. The court shall order a change if it is requested by the affected party.

(i) For a money award for any sums of money found to be then remaining unpaid upon any order or limited judgment entered under ORS 107.095. If a limited judgment was entered under ORS 107.095, the limited judgment shall continue to be enforceable for any amounts not paid under the limited judgment unless those amounts are included in the money award made by the general judgment.

(j) For an award of reasonable attorney fees and costs and expenses reasonably incurred in the action in favor of a party or in favor of a party's attorney.

(2) In determining the proper amount of support and the proper division of property under subsection (1)(c), (d) and (f) of this section, the court may consider evidence of the tax consequences on the parties of its proposed judgment.

(3) Upon the filing of the judgment, the property division ordered shall be deemed effective for all purposes. This transfer by judgment, which shall affect solely owned property transferred to the other spouse as well as commonly owned property in the same manner as would a declaration of a resulting trust in favor of the spouse to whom the property is awarded, is not a taxable sale or exchange.

(4) If an appeal is taken from a judgment of annulment or dissolution of marriage or of separation or from any part of a judgment rendered in pursuance of the provisions of ORS 107.005 to 107.086, 107.095, 107.105, 107.115 to 107.174, 107.405, 107.425, 107.445 to 107.520, 107.540 and 107.610, the court rendering the judgment may provide in a supplemental judgment for any relief provided for in ORS 107.095 and shall provide that the relief granted in the judgment is to be in effect only during the pendency of the appeal. A supplemental judgment under this subsection may be enforced as provided in ORS 33.015 to 33.155 and ORS chapter 18. A supplemental judgment under this subsection may be appealed in the same manner as provided for supplemental judgments modifying a domestic relations judgment under ORS 19.275.

(5) If an appeal is taken from the judgment or other appealable order in a suit for annulment or dissolution of a marriage or for separation and the appellate court awards costs and disbursements to a party, the court may also award to that party, as part of the costs, such additional sum of money as it may adjudge reasonable as an attorney fee on the appeal.

(6) If, as a result of a suit for the annulment or dissolution of a marriage or for separation, the parties to such suit become owners of an undivided interest in any real or personal property, or both, either party may maintain supplemental proceedings by filing a petition in such suit for the partition of such real or personal property, or both, within two years from the entry of the judgment, showing among other things that the original parties to the judgment and their joint or several creditors having a lien upon any such real or personal property, if any there be, constitute the sole and only necessary parties to such supplemental proceedings. The procedure in the supplemental proceedings, so far as applicable, shall be the procedure provided in ORS 105.405 for the partition of real property, and the court granting the judgment shall have in the first instance and retain jurisdiction in equity therefor.

SECTION 113. ORS 107.106 is amended to read:

107.106. (1) An order or judgment providing for the custody, parenting time, visitation or support of a child under ORS chapter 25, 107, 108, 109 or 110 or ORS 419B.400 shall include:

(a) Provisions addressing the issues of:

(A) Payment of uninsured medical expenses of the child;

(B) Maintenance of insurance or other security for support; and

(C) Medical support for the child under ORS 25.321 to 25.343.

(b) A statement in substantially the following form:

The terms of child support and parenting time (visitation) are designed for the child's benefit and not the parents' benefit. You must pay support even if you are not receiving visitation. You must comply with visitation orders even if you are not receiving child support.

Violation of child support orders and visitation orders is punishable by fine, imprisonment or other penalties.

Publicly funded help is available to establish, enforce and modify child support orders. [*Paternity*] **Parentage** establishment services are also available. Contact your local district attorney or the Department of Justice at (503) 373-7300 for information.

Publicly funded help may be available to establish, enforce and modify visitation orders. Forms are available to enforce visitation orders. Contact the

domestic relations court clerk or civil court clerk for information.

---

(2) The court or administrative law judge shall ensure the creation and filing of an order or judgment that complies with this section.

(3) This section does not apply to an action undertaken by the Division of Child Support of the Department of Justice or a district attorney under ORS 25.080.

SECTION 114. ORS 107.137 is amended to read:

107.137. (1) Except as provided in subsection (6) of this section, in determining custody of a minor child under ORS 107.105 or 107.135, the court shall give primary consideration to the best interests and welfare of the child. In determining the best interests and welfare of the child, the court shall consider the following relevant factors:

(a) The emotional ties between the child and other family members;

(b) The interest of the parties in and attitude toward the child;

(c) The desirability of continuing an existing relationship;

(d) The abuse of one parent by the other;

(e) The preference for the primary caregiver of the child, if the caregiver is deemed fit by the court; and

(f) The willingness and ability of each parent to facilitate and encourage a close and continuing relationship between the other parent and the child. However, the court may not consider such willingness and ability if one parent shows that the other parent has sexually assaulted or engaged in a pattern of behavior of abuse against the parent or a child and that a continuing relationship with the other parent will endanger the health or safety of either parent or the child.

(2) The best interests and welfare of the child in a custody matter [*shall*] **may** not be determined by isolating any one of the relevant factors referred to in subsection (1) of this section, or any other relevant factor, and relying on it to the exclusion of other factors. However, if a parent has committed abuse as defined in ORS 107.705, other than as described in subsection (6) of this section, there is a rebuttable presumption that it is not in the best interests and welfare of the child to award sole or joint custody of the child to the parent who committed the abuse.

(3) If a party has a disability as defined by the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), the court may not consider that party's disability in determining custody unless the court finds that behaviors or limitations of the party that are related to the party's disability are endangering or will likely endanger the health, safety or welfare of the child.

(4) In determining custody of a minor child under ORS 107.105 or 107.135, the court shall consider the conduct, marital status, income, social environment or lifestyle of either party only if it is shown that any of these factors are causing or may cause emotional or physical damage to the child.

(5) No preference in custody [*shall*] **may** be given to [*the mother over the father for the sole reason that she is the mother, nor shall any preference be given to the father over the mother for the sole reason that he is the father*] **one parent over the other based solely on the gender of the parent**.

(6)(a) The court determining custody of a minor child under ORS 107.105 or 107.135 [*shall*] **may** not award sole or joint custody of the child to a parent if:

(A) The court finds that the parent has been convicted of rape under ORS **163.355,** 163.365 or 163.375 or other comparable law of another jurisdiction; and

(B) The rape resulted in the conception of the child.

(b) A denial of custody under this subsection does not relieve the parent of any obligation to pay child support.

SECTION 115. ORS 107.179 is amended to read:

107.179. (1) When either party to a child custody issue, other than one involving temporary custody, whether the issue arises from a case of marital annulment, dissolution or separation, or from [*a determination*] **an adjudication** of parentage, requests the court to grant joint custody of the minor children of the parties under ORS 107.105, the court, if the other party objects to the request for joint custody, shall proceed under this section. The request under this subsection must be made, in the petition or the response, or otherwise not less than 30 days before the date of trial in the case, except for good cause shown. The court in such circumstances, except as provided in subsection (3) of this section, shall direct the parties to participate in mediation in an effort to resolve their differences concerning custody. The court may order such participation in mediation within a mediation program established by the court or as conducted by any mediator approved by the court. Unless the court or the county provides a mediation service available to the parties, the court may order that the costs of the mediation be paid by one or both of the parties, as the court finds equitable upon consideration of the relative ability of the parties to pay those costs. If, after 90 days, the parties do not arrive at a resolution of their differences, the court shall proceed to determine custody.

(2) At its discretion, the court may:

(a) Order mediation under this section prior to trial and postpone trial of the case pending the outcome of the mediation, in which case the issue of custody shall be tried only upon failure to resolve the issue of custody by mediation;

(b) Order mediation under this section prior to trial and proceed to try the case as to issues other than custody while the parties are at the same time engaged in the mediation, in which case the issue

of custody shall be tried separately upon failure to resolve the issue of custody by mediation; or

(c) Complete the trial of the case on all issues and order mediation under this section upon the conclusion of the trial, postponing entry of the judgment pending outcome of the mediation, in which case the court may enter a limited judgment as to issues other than custody upon completion of the trial or may postpone entry of any judgment until the expiration of the mediation period or agreement of the parties as to custody.

(3) If either party objects to mediation on the grounds that to participate in mediation would subject the party to severe emotional distress and moves the court to waive mediation, the court shall hold a hearing on the motion. If the court finds it likely that participation in mediation will subject the party to severe emotional distress, the court may waive the requirement of mediation.

(4) Communications made by or to a mediator or between parties as a part of mediation ordered under this section are privileged and are not admissible as evidence in any civil or criminal proceeding.

SECTION 116. ORS 107.710 is amended to read:

107.710. (1) Any person who has been the victim of abuse within the preceding 180 days may petition the circuit court for relief under ORS 107.700 to 107.735, if the person is in imminent danger of further abuse from the abuser. The person may seek relief by filing a petition with the circuit court alleging that the person is in imminent danger of abuse from the respondent, that the person has been the victim of abuse committed by the respondent within the 180 days preceding the filing of the petition and particularly describing the nature of the abuse and the dates thereof. The abuse must have occurred not more than 180 days before the filing of the petition. The petition must include allegations made under oath or affirmation or a declaration under penalty of perjury. The circuit court shall have jurisdiction over all proceedings under ORS 107.700 to 107.735.

(2) The petitioner has the burden of proving a claim under ORS 107.700 to 107.735 by a preponderance of the evidence.

(3) A person's right to relief under ORS 107.700 to 107.735 shall not be affected by the fact that the person left the residence or household to avoid abuse.

(4) A petition filed under ORS 107.700 to 107.735 shall disclose the existence of any custody, Family Abuse Prevention Act or Elderly Persons and Persons With Disabilities Abuse Prevention Act proceedings, or any marital annulment, dissolution or separation proceedings, or any [*filiation*] proceeding **to adjudicate parentage of a child of the parties**, pending between the parties, and the existence of any other custody order affecting the children of the parties.

(5) When the petitioner requests custody of any child, the petition shall comply with ORS 109.767 and disclose:

(a) The child's present residence and the length of time the child has resided at the residence;

(b) The county and state where the child resided for the five years immediately prior to the filing of the petition;

(c) The name and address of the party or other responsible person with whom the child is presently residing;

(d) The name and current address of any party or other responsible person with whom the child resided for the five years immediately prior to the filing of the petition;

(e) Whether the party participated as a party, witness or in any other capacity, in any other litigation concerning the custody of the child in this or any other state;

(f) Whether the party has information of any custody proceeding concerning the child pending in a court of this or any other state; and

(g) Whether the party knows of any person not a party to the proceedings who has physical custody of the child or claims to have custody, parenting time or visitation rights with respect to the child.

(6) For purposes of computing the 180-day period in this section and ORS 107.718, any time during which the respondent is incarcerated or has a principal residence more than 100 miles from the principal residence of the petitioner shall not be counted as part of the 180-day period.

SECTION 117. ORS 109.012 is amended to read:

109.012. (1)(a) The expenses of a minor child and the education of the minor child are chargeable upon the property of either or both parents who have not married each other. The parents may be sued jointly or separately for the expenses and education of the minor child.

(b) This subsection applies to a person who is asserted to be a parent of the minor child only when:

(A) A voluntary acknowledgment of [*paternity*] **parentage** form has been filed in this or another state and the period for rescinding or challenging the voluntary acknowledgment on grounds other than fraud, duress or material mistake of fact has expired; or

(B) Parentage has been established pursuant to an order or judgment entered under ORS 25.550 or 109.124 to 109.230.

(c) As used in this subsection, "expenses of a minor child" includes only expenses incurred for the benefit of a minor child.

(2) Notwithstanding subsection (1) of this section, a parent is not responsible for debts contracted by the other parent after the separation of one parent from the other parent, except for debts incurred for maintenance, support and education of the minor child of the parents.

(3) For the purposes of subsection (2) of this section, parents are considered separated if they are living in separate residences without intention of reconciliation at the time the debt is incurred. The court may consider the following factors in deter-

mining whether the parents are separated, in addition to other relevant factors:

(a) Whether the parents subsequently reconciled.

(b) The number of separations and reconciliations of the parents.

(c) The length of time the parents lived apart.

(d) Whether the parents intend to reconcile.

(4) An action under this section must be commenced within the period otherwise provided by law.

SECTION 118. ORS 109.073 is amended to read:

109.073. Except as otherwise provided in ORS 25.020, the final four digits of the Social Security number of a parent who is subject to a parentage determination pursuant to ORS 25.501 to 25.556 or 109.065 [*(1)(e) or (g)*] **(5) or (7)** shall be included in the order, judgment or other declaration establishing [*paternity*] **parentage**.

SECTION 119. ORS 109.094 is amended to read:

109.094. Upon the parentage of a child being established in the proceedings, a parent shall have the same rights as a parent who is or was married to the [*mother of the child*] **parent who gave birth to the child**. The clerk of the court shall certify the fact of parentage to the Center for Health Statistics of the Oregon Health Authority, and the Center for Health Statistics shall amend a record of live birth for the child and issue a new certified copy of the record of live birth for the child.

SECTION 120. ORS 109.100 is amended to read:

109.100. (1) Any minor child or the administrator may, in accordance with ORCP 27 A, apply to the circuit court in the county in which the child resides, or in which the natural or adoptive [*father or mother*] **parents** of the child may be found, for an order upon the child's [*father or mother, or both,*] **parent or parents** to provide for the child's support. The child or the administrator may apply for the order by filing in the county a petition setting forth the facts and circumstances relied upon for the order. If satisfied that a just cause exists, the court shall direct that the [*father or mother*] **parents** appear at a time set by the court to show cause why an order of support should not be entered in the matter.

(2) The petitioner shall state in the petition, to the extent known:

(a) Whether there is pending in this state or any other jurisdiction any type of support proceeding involving the minor child, including a proceeding brought under ORS 25.287, 25.501 to 25.556, 107.085, 107.135, 107.431, 108.110, 109.103, 109.165, 125.025 or 419B.400 or ORS chapter 110; and

(b) Whether there exists in this state or any other jurisdiction a support order, as defined in ORS 110.503, involving the minor child.

(3) The petitioner shall include with the petition a certificate regarding any pending support proceeding and any existing support order. The petitioner shall use a certificate that is in a form established by court rule and include information required by court rule and subsection (2) of this section.

(4) The judgment of a court under subsection (1) of this section is final as to any installment or payment of money that has accrued up to the time either party makes a motion to set aside, alter or modify the judgment, and the court may not set aside, alter or modify the judgment, or any portion thereof, that provides for any payment of money that has accrued prior to the filing of the motion.

(5) The provisions of ORS 108.120 apply to proceedings under subsection (1) of this section.

(6) In any proceeding under this section, both the child's physical and legal custodians are parties to the action.

SECTION 121. ORS 109.103 is amended to read:

109.103. (1) If a child is born to an unmarried person and parentage has been established under ORS 109.065, or if a child is born to a married person by [*a person*] **an individual** other than the [*birth mother's*] spouse **of the parent who gave birth to the child** and parentage between the [*person*] **individual** and the child has been established under ORS 109.065, either parent may initiate a civil proceeding to determine the custody or support of, or parenting time with, the child. The proceeding shall be brought in the circuit court of the county in which the child resides or is found or in the circuit court of the county in which either parent resides. The parents have the same rights and responsibilities regarding the custody and support of, and parenting time with, their child that married or divorced parents would have, and the provisions of ORS 107.094 to 107.449 that relate to custody, support and parenting time, the provisions of ORS 107.755 to 107.795 that relate to mediation procedures, and the provisions of ORS 107.810, 107.820 and 107.830 that relate to life insurance, apply to the proceeding.

(2) A parent may initiate the proceeding by filing with the court a petition setting forth the facts and circumstances upon which the parent relies. The parent shall state in the petition, to the extent known:

(a) Whether there is pending in this state or any other jurisdiction any type of support proceeding involving the child, including one brought under ORS 25.501 to 25.556, 109.100, 109.165, 125.025 or 419B.400 or ORS chapter 110; and

(b) Whether there exists in this state or any other jurisdiction a support order, as defined in ORS 110.503, involving the child.

(3) The parent shall include with the petition a certificate regarding any pending support proceeding and any existing support order. The parent shall use a certificate that is in a form established by court rule and include information required by court rule and subsection (2) of this section.

(4) When a parent initiates a proceeding under this section and the child support rights of one of the parents or of the child have been assigned to the state, the parent initiating the proceeding shall

serve, by mail or personal delivery, a copy of the petition on the Administrator of the Division of Child Support or on the branch office providing support services to the county in which the suit is filed.

(5)(a) After a petition is filed under this section and upon service of summons and petition upon the respondent as provided in ORCP 7, a restraining order is issued and in effect against the petitioner and the respondent until a final judgment is issued, until the petition is dismissed or until further order of the court, restraining the petitioner and the respondent from:

(A) Canceling, modifying, terminating or allowing to lapse for nonpayment of premiums any policy of health insurance that one party maintains to provide coverage for the other party or a minor child of the parties, or any life insurance policy that names either of the parties or a minor child of the parties as a beneficiary; and

(B) Changing beneficiaries or covered parties under any policy of health insurance that one party maintains to provide coverage for a minor child of the parties, or any life insurance policy.

(b) Either party restrained under this subsection may apply to the court for further temporary orders, including modification or revocation of the restraining order issued under this subsection.

(c) The restraining order issued under this subsection shall include a notice that either party may request a hearing on the restraining order by filing a request for hearing with the court.

(d) A copy of the restraining order issued under this subsection must be attached to the summons.

(e) A party who violates a term of a restraining order issued under this subsection is subject to imposition of remedial sanctions under ORS 33.055 based on the violation, but is not subject to:

(A) Criminal prosecution based on the violation; or

(B) Imposition of punitive sanctions under ORS 33.065 based on the violation.

SECTION 122. ORS 109.116 is amended to read:

109.116. Any authorization, release or waiver given by [*the putative father*] **a child's alleged genetic parent** with reference to the custody or adoption of the child or the termination of parental rights shall be valid even if given prior to the child's birth.

SECTION 123. ORS 109.276 is amended to read:

109.276. (1) Any person may petition the circuit court for leave to adopt another person and, if desired, for a change of the other person's name. Except as provided in ORS 419B.529 or 419B.656, a separate petition must be filed for each person for whom leave to adopt is sought.

(2) One petitioner, the child, one parent or the person, who is not an adoption agency, consenting to the adoption as required under ORS 109.301 (1) must be a resident of this state. As used in this subsection, "resident" means a person who has resided in this state continuously for a period of six months prior to the date of the petition.

(3) Except as provided in subsection (4) of this section, when the petition is for the adoption of a minor child, the adoption is governed by the Uniform Child Custody Jurisdiction and Enforcement Act, ORS 109.701 to 109.834.

(4)(a) Notwithstanding ORS 109.741 and 109.744 and except as provided in ORS 419B.627, a court of this state has jurisdiction over the adoption of a minor child if, immediately prior to the filing of a petition for adoption:

(A) The minor child resided in this state for at least six consecutive months including periods of temporary absence;

(B) One parent or another person, who is not an adoption agency, consenting to the adoption as required under ORS 109.301 (1) or 109.302 resided in this state for at least six consecutive months including periods of temporary absence;

(C) The prospective adoptive parent resided in this state for at least six consecutive months including periods of temporary absence and substantial evidence is available in this state concerning the present or future care of the minor child;

(D) It appears that no court of another state would have jurisdiction under circumstances substantially in accordance with subparagraphs (A) to (C) of this paragraph; or

(E) A court of another state has declined to exercise jurisdiction on the grounds that this state is a more appropriate forum to hear a petition for adoption of the minor child and it is in the best interests of the minor child that a court of this state assume jurisdiction.

(b) As used in paragraph (a) of this subsection, "periods of temporary absence" means periods of absence of not more than a total of 30 days in the prior six consecutive months.

(5) In a petition to adopt a minor child, venue lies in the Oregon county with which the child has the most significant connection or in the Oregon county in which the licensed adoption agency is located.

(6) A petition for adoption of a minor child must comply with the requirements, and be served in the manner, described in ORS 109.285.

(7)(a) In a proceeding for the adoption of a minor child, a current home study must be approved by either the Department of Human Services or an Oregon licensed adoption agency for the purpose of demonstrating that the petitioner meets the minimum standards for adoptive homes as set forth in the department's administrative rules.

(b) Except when the court finds that there is reason to know that the child is an Indian child, the department, upon request by the petitioner, may waive the home study requirement in an adoption proceeding in which one of the child's [*biological*] **genetic** parents or adoptive parents retains parental rights, or when a relative who qualifies under the department's administrative rules for a waiver of the

home study requirement is the prospective adoptive parent.

(c) The department shall, subject to ORS 109.270, adopt rules to implement the provisions of this subsection.

(8)(a)(A) Within 90 days after service upon the Director of Human Services as required under ORS 109.285, the Department of Human Services shall investigate and file for the consideration of the judge before whom the petition for adoption is pending a placement report containing information regarding the status of the child and evidence concerning the suitability of the proposed adoption. The department may designate an Oregon licensed adoption agency to investigate and report to the court. If the department designates an Oregon licensed adoption agency to investigate and report to the court, the department shall make the designation and provide all necessary information and materials to the Oregon licensed adoption agency no later than 30 days after the service on the director and upon receipt of all required documentation and fees.

(B) Except when the court finds that there is reason to know that the child is an Indian child, the department:

(i) May waive the placement report requirement under this subsection; and

(ii) Shall waive the placement report requirement in an adoption proceeding in which one of the child's [*biological*] **genetic** parents or adoptive parents retains parental rights.

(b) Upon receipt of a written request by the petitioner or the petitioner's attorney, the department shall furnish to the petitioner or the petitioner's attorney copies of any information that the department has filed with the court.

(c) Information gathered by the department or by an Oregon licensed adoption agency during the preparation of the placement report may include information concerning the child's social, medical and genetic history and the birth parent's history as may be required by ORS 109.301, 109.302 or 109.342.

(d) The court shall file and retain the placement report filed under this subsection in the same location in the records, papers and files in the court's record of the adoption case as the petition and exhibits filed under ORS 109.285 are located. The placement report must be segregated from the Adoption Summary and Segregated Information Statement and the exhibits submitted under ORS 109.287.

(e) The department shall, subject to ORS 109.270, adopt rules to implement the provisions of this subsection.

(9) The department may charge the petitioner a fee for investigating a proposed nonagency adoption and preparing the home study required under subsection (7) of this section and the placement report required under subsection (8) of this section. The petitioner shall report the fee amount to the court. The court granting the adoption shall make a finding as to whether the fee is necessary and reasonable. Any fee charged may not exceed reasonable costs for investigation, home study and placement report preparation. The department shall prescribe by rule the procedure for computing the investigation, home study and placement report preparation fee. The rules shall provide a waiver of either part or all of the fee based upon the petitioner's ability to pay.

(10) The court may not rule upon a petition for the adoption of a minor child until at least 90 days after the date that the petition and documents required to be served on the Director of Human Services under ORS 109.285 and 109.287 have been served upon the director. The department may waive the 90-day waiting period.

(11) The amounts of any fees collected under subsection (9) of this section are continuously appropriated to the department for use in preparing home studies and placement reports required under this section.

(12)(a) Except as provided in paragraph (b) of this subsection, a court may not grant a judgment for the adoption of a minor child unless the petitioner has filed with the court:

(A) A petition, including exhibits attached to the petition, meeting the requirements of ORS 109.285;

(B) Written evidence that a home study has been completed and approved, unless waived, under subsection (7) of this section;

(C) A placement report under subsection (8) of this section unless waived; and

(D) The Adoption Summary and Segregated Information Statement under ORS 109.287, including exhibits attached to the statement.

(b) Except when the court finds that there is reason to know that the child is an Indian child, a person is not required to file a home study or a placement report with the court when the department has granted the person a waiver under department rules.

(13) When the court conducts a hearing under ORS 109.266 to 109.410 regarding the adoption of a minor child, the court shall make the inquiries described in ORS 419B.636 (4)(b) and make a finding and order subject to the procedures under ORS 419B.636 (4) regarding whether there is reason to know that the child is an Indian child.

SECTION 124. ORS 109.287 is amended to read:

109.287. (1) An Adoption Summary and Segregated Information Statement must be filed concurrently with every petition for adoption of a minor child filed under ORS 109.276. The statement must summarize information in the adoption proceeding and include additional information and attached exhibits as required under this section. The statement must contain, at a minimum, the following information if known or readily ascertainable by the petitioner:

(a) The full name, permanent address and telephone number of each petitioner;

(b) The current full name, the proposed adoptive name and the date and place of birth of the minor child;

(c) The names, permanent addresses and telephone numbers of any person whose consent to the adoption is required under ORS 109.301 or 109.302;

(d) The name and relationship to the minor child and address of any person or entity for whom the written consent requirement under ORS 109.301 or 109.302 is waived or not required as provided in ORS 109.322, 109.323, 109.324, 109.325, 109.326 and 109.327 or ORS 109.302 or whose written consent may be substituted for the written consent requirement under ORS 109.301 or 109.302 as provided in ORS 109.302 to 109.329;

(e) Whether there is reason to know that the child is an Indian child;

(f) The information required by the Uniform Child Custody Jurisdiction and Enforcement Act under ORS 109.701 to 109.834 except that, when the Department of Human Services or an approved child-caring agency of this or any other state has placed a minor child with a foster parent, the information required under this paragraph regarding the minor child's address, whereabouts or places the minor child has lived during the past five years, as required under ORS 107.767, is limited to the fact that the minor child was placed with a foster parent and the county and state of the location of the foster care placement, and disclosure of the foster parent's name and address is specifically exempted from the requirements of this paragraph;

(g) The name, address and telephone number of any adoption agency that will be consenting, or has consented, to the adoption;

(h) The name, bar number and contact information for any attorney representing a petitioner or a person whose consent to the adoption is required under ORS 109.301 or 109.302; and

(i) An indication of the type of adoption proceeding as follows:

(A) Private agency adoption, whether domestic or international;

(B) Nonrelated independent adoption;

(C) Readoption of a minor child adopted in a foreign nation under ORS 109.385;

(D) Relative independent adoption;

(E) Stepparent independent adoption;

(F) An independent adoption involving one petitioner who retains parental rights;

(G) Out-of-state public agency adoption;

(H) An adoption in which the Department of Human Services gives consent under ORS 109.325; or

(I) Any other specified adoption.

(2) An Adoption Summary and Segregated Information Statement must, if applicable, have the following attached as exhibits:

(a) A home study or written evidence that a home study has been approved as required by ORS 109.276, unless waived;

(b) A report of adoption on a form prescribed and furnished by the State Registrar of the Center for Health Statistics as required under ORS 432.223; and

(c) A medical history of the minor child and of the [*biological*] **genetic** parents as required under ORS 109.342.

(3) A waiver of the home study requirement may be substituted for the requirement under subsection (2)(a) of this section.

(4) The petitioner has a continuing duty to inform the court of any change to the information required under this section or when information that was not previously known or ascertainable becomes known or ascertainable.

(5) The Adoption Summary and Segregated Information Statement and the exhibits submitted under subsection (2) of this section are confidential and may not be inspected or copied except as otherwise provided under ORS 109.266 to 109.410 or 109.425 to 109.507. The Adoption Summary and Segregated Information Statement and the exhibits submitted under this section must be segregated in the record of the adoption case from other records, papers and files in the record of the adoption case.

SECTION 125. ORS 109.289 is amended to read:

109.289. (1) The clerk or court administrator of any court having jurisdiction over adoption proceedings shall keep a separate record of the case for each adoption proceeding filed with the court. Adoption proceedings shall not be entered upon the general records of the court.

(2) The clerk, court administrator and any other person having custody of the records, papers and files in the court's record of an adoption case shall cause the records, papers and files, both prior to entry of judgment and after entry of judgment of adoption, to be sealed. The clerk, court administrator and any other person having custody of the records, papers and files shall not unseal or allow inspection or copying of or disclose any information in the records, papers and files to any person or entity, except as provided in this section or pursuant to ORS 109.266 to 109.410 or 109.425 to 109.507.

(3) Prior to entry of judgment in an adoption proceeding, and after entry of judgment in an adoption proceeding but prior to the minor child who is the subject of the adoption proceeding attaining 18 years of age, the following may inspect and copy sealed records, papers and files that are maintained in the court's record of an adoption case without a court order:

(a) Presiding judges and judges of the court operating under the Judicial Department, and court staff or other persons operating under the direction of the presiding judges or judges;

(b) Petitioners and their attorneys of record;

(c) The Department of Human Services; and

(d) If the minor child is an Indian child, the Indian child's tribe and the United States Secretary of the Interior.

(4) After entry of judgment in an adoption proceeding and after the minor child who is the subject of the adoption proceeding has attained 18 years of age, the following may inspect and copy sealed records, papers and files that are maintained in the

court's record of the adoption case without a court order:

(a) Judges of the court operating under the Judicial Department and court staff or other persons operating under the direction of the judges;

(b) The person who was the minor child in the adoption proceeding, except that the person who was the minor child in the adoption proceeding may not inspect or copy the home study approved under ORS 109.276 (7) except pursuant to a court order and with good cause;

(c) Petitioners and their attorneys of record;

(d) The Department of Human Services; and

(e) If the minor child was an Indian child, the Indian child's tribe and the United States Secretary of the Interior.

(5)(a) After entry of judgment in an adoption proceeding and after the minor child who is the subject of the adoption proceeding has attained 18 years of age, an individual whose consent for the adoption is required under ORS 109.301 or 109.302 may file a motion with the court to inspect and copy sealed records, papers and files that are maintained in the court's record of the adoption case.

(b) Except as provided in paragraph (c) of this subsection, the court shall grant the motion except for good cause but must exclude from inspection and copying:

(A) For adoption cases filed on or after January 1, 2014:

(i) The Adoption Summary and Segregated Information Statement filed in accordance with ORS 109.287; and

(ii) Exhibits described in ORS 109.287 (2) that are contained in the court's record of the adoption case.

(B) For adoption cases filed before January 1, 2014:

(i) Statements, exhibits and other documents provided for purposes of the Uniform Child Custody Jurisdiction and Enforcement Act pursuant to ORS 109.767;

(ii) A home study;

(iii) A report of adoption on a form prescribed and furnished by the State Registrar of the Center for Health Statistics under ORS 432.223 or a similar document in which the court has certified to the state registrar the facts of the live birth of the person adopted;

(iv) A medical history described in ORS 109.342 or a similar document provided to the court for the purpose of describing the medical history of the minor child or of the [*biological*] **genetic** parents; and

(v) Addresses, phone numbers and Social Security numbers of persons or entities described in ORS 109.287 (1)(a) to (d) that are contained in the court's record of the adoption case.

(c) If the Department of Human Services consented or has the authority to consent to the adoption of a minor child under ORS 109.325 or 419B.529:

(A) A parent who has signed a release and surrender to the department under ORS 418.270, that was accepted by the department, or whose parental rights were terminated under ORS 419B.500 and 419B.502 to 419B.524, may file a motion with the court to inspect or copy sealed records, papers and files that are maintained in the court's record of the adoption case but may not be granted the right to inspect or copy:

(i) For adoption cases filed on or after January 1, 2014:

(I) The Adoption Summary and Segregated Information Statement filed in accordance with ORS 109.287; and

(II) Exhibits described in ORS 109.287 (2) that are contained in the court's record of the adoption case.

(ii) For adoption cases filed before January 1, 2014:

(I) Statements, exhibits and other documents provided for purposes of the Uniform Child Custody Jurisdiction and Enforcement Act pursuant to ORS 109.767;

(II) A home study;

(III) A report of adoption on a form prescribed and furnished by the State Registrar of the Center for Health Statistics under ORS 432.223 or a similar document in which the court has certified to the state registrar the facts of the live birth of the person adopted; and

(IV) A medical history described in ORS 109.342 or a similar document provided to the court for the purpose of describing the medical history of the minor child or of the [*biological*] **genetic** parents.

(B)(i) The court may grant the motion for good cause. The name, address, phone number, Social Security number or other identifying information of any individual or entity contained in the records, papers and files must be redacted and may not be disclosed as part of the inspection or copying allowed under this paragraph.

(ii) Notwithstanding sub-subparagraph (i) of this subparagraph, the name of the parent filing the motion and the name, bar number and contact information for any attorney of record in the case may be disclosed as part of the inspection or copying allowed under this paragraph.

(d) The fee imposed and collected by the court for the filing of a motion under this subsection by the birth parent of an adult adoptee shall be in accordance with ORS 21.145, except that a fee may not be imposed or collected for a motion filed under this subsection for adoptions where the Department of Human Services consented to the adoption under ORS 109.325 or 419B.529.

(6) Except as provided in subsection (5)(c) of this section, an individual or entity that signed a record, paper or document in a file contained in the court's record of the adoption case is entitled to inspect and obtain a copy of that record, paper or document without a court order. The signature and name of any other individual or entity on the same record, paper or document must be redacted or otherwise not disclosed as part of the inspection and copying permitted under this subsection.

(7)(a) Any documents, writings, information and other records retained by the Department of Human Services or a child-caring agency as defined in ORS 418.205 in the department's or agency's record of an adoption case that are not records, papers and files in the court's record of the adoption case are confidential and must be sealed. Any records, documents or information, including records, papers and files in the court's record of the adoption case, retained by the department or agency in its record of an adoption case may be accessed, used or disclosed only as provided in this section or ORS 109.266 to 109.410 or 109.425 to 109.507, or pursuant to a court order for good cause.

(b) The department or agency may, without a court order, access, use or disclose any records, documents or information retained by the department or agency in its record of an adoption case, including records, papers and files in the court's record of an adoption case that are in the possession of the department or the agency for the purpose of providing adoption services or the administration of child welfare services that the department or agency is authorized to provide under applicable federal or state law.

(8) Except as otherwise provided in this section, a court may grant a motion and enter an order allowing inspection, copying or other disclosure of records, papers and files that are maintained in the court's record of an adoption case for good cause.

(9) Nothing contained in this section shall prevent the clerk or court administrator from certifying or providing copies of a judgment of adoption to the petitioner in an adoption proceeding, to the petitioner's attorney of record or to the Department of Human Services.

(10) The provisions of this section do not apply to the disclosure of information under ORS 109.425 to 109.507.

(11) Except as provided in subsection (5)(d) of this section, the court may impose and collect fees for copies and services provided under this section, including but not limited to filing, inspection and research fees.

(12) Unless good cause is shown, when the court grants a motion to inspect, copy or otherwise disclose records, papers and files in the court's record of an adoption case, the court shall order a prohibition or limitation on redisclosure of the records, papers and files, or of information contained in the records, papers and files.

(13) When inspection, copying or disclosure is allowed under this section, the court may require appropriate and reasonable verification of the identity of the requesting person to the satisfaction of the court.

(14)(a) When an Indian child's tribe or the United States Secretary of the Interior requests access to the adoption records of an Indian child, the court must make the records available no later than 14 days following the date of the request.

(b) The records made available under this subsection must, at a minimum, include the petition, all substantive orders entered in the adoption proceeding, the complete record of the placement finding and, if the placement departs from the placement preferences under ORS 419B.654, detailed documentation of the efforts to comply with the placement preferences.

SECTION 126. ORS 109.342 is amended to read:

109.342. (1) Before any judgment of adoption of a minor is entered, the court shall be provided a medical history of the child and of the [*biological*] **genetic** parents as complete as possible under the circumstances.

(2) When possible, the medical history shall include, but need not be limited to:

(a) A medical history of the adoptee from birth up to the time of adoption, including disease, disability, congenital or birth defects, and records of medical examinations of the child, if any;

(b) Physical characteristics of the [*biological*] **genetic** parents, including age at the time of the adoptee's birth, height, weight, and color of eyes, hair and skin;

(c) A gynecologic and obstetric history of the [*biological mother*] **parent who gave birth to the child**;

(d) A record of potentially inheritable genetic or physical traits or tendencies of the [*biological*] **genetic** parents or their families; and

(e) Any other useful or unusual [*biological*] **genetic** information that the [*biological*] **genetic** parents are willing to provide.

(3) The names of the [*biological*] **genetic** parents [*shall*] **may** not be included in the medical history.

(4) Subsection (1) of this section does not apply when a person is adopted by a stepparent.

(5) The Department of Human Services shall prescribe a form for the compilation of the medical history.

SECTION 127. ORS 109.410 is amended to read:

109.410. (1) The clerk of the court having custody of the adoption file shall issue upon request a certificate of adoption to the adopted person, the adoptive parents or parent, their attorney of record, in the proceeding, or to any child-placing agency which gave consent to the adoption. The certificate shall be substantially in the following form:

CERTIFICATE OF ADOPTION
IN THE _____ COURT
OF THE STATE OF OREGON
FOR THE COUNTY OF
_____

In the Matter of the Adoption of:

_____ File No._____
Name after Adoption

This is to certify that on the ____ day of _____, 2____, a Judgment of Adoption was

granted by the Honorable Judge _____ granting the adoption of the above-named person by _____.

The adopted person, above named, was born in the City of_____, County of _____, State of _____, on the __ day of _____, 2__.

Dated at _____, Oregon, this __ day of _____, 2__.

(Title of the Clerk of the Court)

(SEAL) By _____
Deputy

---

(2) The certificate of adoption may be issued by the judge who granted the adoption, instead of by the clerk of the court.

(3) The certificate of adoption [*shall*] **may** not state the former name of the person adopted, unless the name was not changed by the judgment, and [*shall*] **may** not state the name of either [*biological*] **genetic** parent of the person adopted. However, if the adoption was by the adopted person's stepparent, the name of the adopting stepparent's spouse may be set forth in the certificate if requested.

(4) No certificate of adoption shall be issued to any person other than the persons described in subsection (1) of this section without order of the court.

(5) For all purposes, the certificate of adoption shall constitute legal proof of the facts set forth therein, shall have the same force and effect and the same presumptions of validity as the judgment of adoption, and shall be entitled to full faith and credit.

SECTION 128. ORS 109.425 is amended to read:

109.425. As used in ORS 109.425 to 109.507:

(1) "Adoptee" means a person who has been adopted in the State of Oregon.

(2) "Adoption" means the judicial act of creating the relationship of parent and child where it did not exist previously.

(3) "Adoptive parent" means an adult who has become a parent of a child through adoption.

(4) "Adult" means a person 18 years of age or older.

(5) "Agency" means any public or private organization licensed or authorized under the laws of this state to place children for adoption.

(6) "Alleged genetic parent" has the meaning given that term in section 2 of this 2025 Act.

[*(6)*] **(7)** "Birth parent" means:

(a) The [*man or woman*] **individuals** who [*is*] **are** legally presumed under the laws of this state to be the [*father or mother of genetic origin*] **genetic parents** of a child; and

(b) [*A putative father of the child if the birth mother alleges he is the father and the putative father, by written affidavit or surrender and release executed within three years of the relinquishment of the child by the birth mother or the termination of parental rights of the birth mother, acknowledges being the child's biological father.*] **An individual alleged by the parent who gave birth to the child to be a genetic parent of the child if the individual acknowledges being the child's genetic parent by signing a written affidavit or executing a surrender and release within three years of the relinquishment of the child by the parent who gave birth to the child or the termination of the parental rights of the parent who gave birth to the child.**

[*(7) "Department" means the Department of Human Services.*]

(8)(a) "Genetic and social history" means a comprehensive report, when obtainable, of the health status and medical history of the birth parents and other persons related to the child.

(b) The genetic and social history may contain as much of the following as is available:

(A) Medical history;

(B) Health status;

(C) Cause of and age at death;

(D) Height, weight, eye and hair color;

(E) Ethnic origins; and

(F) Religion, if any.

(c) The genetic and social history may include the health status and medical history of:

(A) The birth parents;

(B) [*A putative father*] **An alleged genetic parent**, if any;

(C) Siblings to the birth parents, if any;

(D) Siblings to [*a putative father*] **an alleged genetic parent**, if any;

(E) Other children of either birth parent, if any;

(F) Other children of [*a putative father*] **an alleged genetic parent**, if any;

(G) Parents of the birth parents; and

(H) Parents of [*a putative father*] **an alleged genetic parent**, if any.

(9) "Guardian" means a person appointed by a court as guardian of a minor under ORS chapter 125 or the laws of any other state.

(10) "Health history" means a comprehensive report, when obtainable, of the child's health status and medical history at the time of placement for adoption, including neonatal, psychological, physiological and medical care history.

(11) "Minor" means a person under 18 years of age.

(12) "Progeny" means the children or descendants of a person and the person's descendants in successive generations.

[*(13) "Putative father" means a man who, under the laws of this state, is not legally presumed to be the father of genetic origin of a child, but who claims or is alleged to be the father of genetic origin of the child.*]

[*(14)*] **(13)** "Registry" means a voluntary adoption registry established under ORS 109.450.

[*(15)*] **(14)** "Successor agency" means an agency which has the adoption records of another agency because of the merger of the agency and the successor agency or because a former agency has ceased

doing business and has given its adoption records to the successor agency as provided in ORS 109.435 (2).

SECTION 129. ORS 109.430 is amended to read:

109.430. It is the policy of this state that adoption is based upon the legal termination of parental rights and responsibilities of birth parents and the creation of the legal relationship of parents and child between an adoptee and the adoptive parents. These legal and social premises underlying adoption must be maintained. The state recognizes that some persons who were adopted as children have a strong desire to obtain identifying information about their birth parents, [*putative father*] **alleged genetic parent** or genetic siblings while other such adoptees have no such desire. The state further recognizes that some birth parents have a strong desire to obtain identifying information about their [*biological*] **genetic** children who were adopted, while other birth parents have no such desire. The state fully recognizes the right to privacy and confidentiality of birth parents whose children were adopted, the adoptees and the adoptive parents. The purpose of ORS 109.425 to 109.507 and 432.250 is to:

(1) Set up a voluntary adoption registry where birth parents, [*putative fathers*] **alleged genetic parents**, adoptees and genetic siblings of adoptees may register their willingness to the release of identifying information to each other;

(2) Provide for the disclosure of identifying information to birth parents and their progeny through a person employed or approved by a licensed adoption agency or the Department of Human Services, if the relevant persons for such disclosure are registered;

(3) Provide for the transmission of nonidentifying health and genetic and social histories of adoptees, birth parents, [*putative fathers*] **alleged genetic parents**, genetic siblings of adoptees and other specified persons; and

(4) Provide for disclosure of specific identifying information to Indian tribes or governmental agencies when needed to establish the adoptee's eligibility for tribal membership or for benefits or to a person responsible for settling an estate that refers to the adoptee.

SECTION 130. ORS 109.455 is amended to read:

109.455. (1) Only a birth parent, adult adoptee, adult genetic sibling of an adoptee, parent or guardian of a minor adoptee or of a minor genetic sibling of an adoptee, adoptive parent of a deceased adoptee and parents or adult siblings of a deceased birth parent may use the registry for obtaining identifying information about birth parents, [*putative fathers*] **alleged genetic parents**, adoptees and genetic siblings of adoptees.

(2) [*A putative father*] **An alleged genetic parent** may not use the registry to obtain identifying information but may register to authorize release of identifying information under ORS 109.460.

SECTION 131. ORS 109.460 is amended to read:

109.460. (1) An adult adoptee, a birth parent, [*a putative father*] **an alleged genetic parent**, an adult genetic sibling of an adoptee, a parent or guardian of a minor adoptee or of a minor genetic sibling of an adoptee, an adoptive parent of a deceased adoptee and a parent or adult sibling of a deceased birth parent may register with a registry by submitting a signed affidavit to the appropriate registry. The affidavit shall contain the information listed in ORS 109.465 and a statement of the registrant's willingness to be identified to the other relevant persons who register. The affidavit gives authority to the registry to release to the other relevant persons who register identifying information related to the registrant or, if the registrant is registering on behalf of a minor adoptee or a minor genetic sibling, identifying information related to the minor adoptee or sibling. Each registration shall be accompanied by the registrant's, or if the registrant is registering on behalf of a minor adoptee or a minor genetic sibling, the minor's, certified copy of the record of live birth.

(2) At the discretion of the agency operating the registry, the adult progeny, or the parent or guardian of minor progeny, of a deceased adoptee, a deceased genetic sibling of an adoptee or a deceased birth parent of an adoptee may register to have specific identifying and contact information disclosed by submitting a signed affidavit containing the information listed in ORS 109.465 and a statement of the registrant's willingness to be identified to other relevant persons who register.

(3) An adoptee, or the parent or guardian of a minor adoptee, may register to have specific identifying information disclosed to Indian tribes or to governmental agencies in order to establish the adoptee's eligibility for tribal membership or for benefits or to a person settling an estate. The information shall be limited to a true copy of documents that prove the adoptee's lineage. Information disclosed in accordance with this subsection shall not be disclosed to the adoptee or the parent or guardian of the minor adoptee by the registry or employee or agency operating a registry nor by the Indian tribe, governmental agency or person receiving the information.

(4) Registration under this section by the parent or guardian of a minor adoptee or of a minor genetic sibling of an adoptee expires when the minor reaches 18 years of age. The adoptee or sibling must reregister with a registry as an adult in accordance with this section for identifying information to be released to relevant persons who are registered. If the adoptee or sibling reregisters, the registration fee will be waived.

(5) Except as otherwise provided in ORS 109.503, a registry or employee or the agency operating a registry shall not contact or in any other way solicit any adoptee or birth parent to register with the registry.

SECTION 132. ORS 109.470 is amended to read:

109.470. (1) When an adoptee reaches age 18, a birth parent of the adoptee, if the birth parent reg-

istered with the registry before the adoptee was age 18, shall notify the registry in writing only if the birth parent does not desire to continue the registration.

(2) When an adoptee reaches age 18, [*a putative father*] **an alleged genetic parent** of the adoptee, if the [*putative father*] **alleged genetic parent** registered with the registry before the adoptee was age 18, shall notify the registry in writing only if the [*putative father*] **alleged genetic parent** does not desire to continue the registration.

(3) When an adoptee or genetic sibling of an adoptee reaches age 18, the adoptee or sibling, if the parent or guardian of the adoptee or sibling registered with the registry before the adoptee or sibling was age 18, must reregister with the registry as an adult in accordance with ORS 109.460. If the adoptee or sibling reregisters, the registration fee will be waived.

(4) A registry shall notify a birth parent, [*putative father*] **alleged genetic parent** or parent or guardian of a minor adoptee or of a minor genetic sibling of an adoptee of this requirement when the birth parent, [*putative father*] **alleged genetic parent** or parent or guardian initially registers.

SECTION 133. ORS 109.475 is amended to read:

109.475. (1) Upon receipt of the affidavit under ORS 109.460, the registry shall process each affidavit in an attempt to match the adoptee, the birth parent, the [*putative father*] **alleged genetic parent**, the genetic siblings, the progeny of a deceased adoptee, a deceased genetic sibling of an adoptee or a deceased birth parent of an adoptee, the adoptive parent of a deceased adoptee or the parents or adult sibling of a deceased birth parent. The processing shall include research from agency records, and if necessary from court records, to determine whether the registrants match.

(2) If the registry determines there is a match and if the relevant persons have registered with the registry and received the counseling required by ORS 109.480, notification of the match may be given by a registry to only:

(a) A birth parent of an adult adoptee;

(b) An adult adoptee;

(c) The parent or guardian of a minor adoptee or of a minor genetic sibling of an adoptee;

(d) The adult genetic siblings of an adult adoptee;

(e) At the discretion of the agency operating the registry, parents or adult siblings of the birth parent if the birth parent is deceased;

(f) At the discretion of the agency operating the registry, the adoptive parent of a deceased adoptee; or

(g) At the discretion of the agency operating the registry, the adult progeny, or the parent or guardian of minor progeny, of a deceased adoptee, a deceased genetic sibling of an adoptee or a deceased birth parent of an adoptee for the purposes set forth in ORS 109.460 (2).

(3) Notification of a match to the relevant parties shall be made through a direct and confidential contact.

SECTION 134. ORS 109.490 is amended to read:

109.490. A registry shall release only information necessary for identifying a birth parent, [*a putative father*] **an alleged genetic parent**, an adult adoptee, an adult genetic sibling, the adult progeny, or the parent or guardian of minor progeny, of a deceased adoptee, a deceased genetic sibling of an adoptee or a deceased birth parent of an adoptee, or the county in which an adoption was finalized. A registry may not release information of any kind pertaining to:

(1) The adoptive parents, except for an adoptive parent of a minor adoptee when the adoptive parent has registered in accordance with ORS 109.460;

(2) The siblings of the adult adoptee who are children of the adoptive parents; and

(3) The income of any person.

SECTION 135. ORS 109.500 is amended to read:

109.500. (1) A genetic and social history and health history which excludes information identifying any birth parent or [*putative father*] **alleged genetic parent**, member of a birth parent's or [*putative father's*] **alleged genetic parent's** family, the adoptee or the adoptive parents of the adoptee, may be provided, if available, from an agency upon request to the following persons:

(a) The adoptive parents of the child or the child's guardian;

(b) The birth parent of the adoptee;

(c) An adult adoptee; and

(d) In the event of the death of the adoptee:

(A) The adoptee's spouse if the spouse is the birth parent of the adoptee's child or the guardian of any child of the adoptee; or

(B) Any progeny of the adoptee who is 18 years of age or older.

(2) The medical history part of the report mentioned in subsection (1) of this section may be in the form prescribed by the Department of Human Services under ORS 109.342.

(3) The agency may charge the person requesting the information requested under subsection (1) of this section the actual cost of providing such information.

SECTION 136. ORS 109.502 is amended to read:

109.502. (1)(a) An adult adoptee or the adoptive parent of a minor or deceased adoptee may request the Department of Human Services or the Oregon licensed adoption agency that facilitated the adoption to conduct a search for the adoptee's birth parents, [*putative father*] **alleged genetic parent** or, except as otherwise provided in ORS 109.504 (2), for the adoptee's genetic siblings, or for the county in which an adoption was finalized.

(b)(A) Except as provided in subparagraph (B) of this paragraph, a birth parent, an adult genetic sibling of an adoptee or the parent or adult sibling of a deceased birth parent may request the department

or the Oregon licensed adoption agency that facilitated the adoption to conduct a search for an adult adoptee whom the birth parent relinquished for adoption.

(B) A birth parent may request a search for an adult adoptee only if the adult adoptee does not have any genetic siblings in the same adoptive family as the adult adoptee's adoptive family who are under 18 years of age.

(c) A birth parent may request and, in the discretion of the department or the Oregon licensed adoption agency that facilitated the adoption, the department or agency may conduct a search for the county in which the adoption was finalized.

(d) A person requesting a search under paragraph (a) or (b) of this subsection:

(A) Must be registered with a registry unless the request is only to search for the county in which an adoption was finalized; and

(B) Shall direct the request for the search to the Oregon licensed adoption agency that facilitated the adoption or, if unknown, to the department. If the Oregon licensed adoption agency that facilitated the adoption is not conducting searches or is not authorized by the department to conduct searches, the person shall direct the request to the department.

(2) The department or an agency may delegate to or contract with a third party individual or entity to conduct searches under this section.

(3) At the time of a request to conduct a search under this section, the requester shall provide the department or the Oregon licensed adoption agency that facilitated the adoption with:

(a) Such information as the department or the Oregon licensed adoption agency requires; and

(b) Payment of a fee established by rule under ORS 109.506.

SECTION 137. ORS 109.504 is amended to read:

109.504. (1) If an adult adoptee or the adoptive parent of a minor or deceased adoptee has initiated a search under ORS 109.502, the fact that the person being sought in the original search does not wish to make contact does not prevent the adult adoptee or the adoptive parent from requesting another search for a birth parent or [*putative father*] **alleged genetic parent** not previously contacted.

(2) An adult adoptee or the adoptive parent of a minor or deceased adoptee may not request a search for a minor genetic sibling of the adoptee if the parental rights of the birth parent to the minor genetic sibling have not been terminated by death or otherwise and the adoptee and the minor genetic sibling share that same birth parent.

(3) The adult adoptee or adoptive parent of a minor or deceased adoptee shall request the search by repeating the process set out in ORS 109.502 and by paying the fees established by the Department of Human Services pursuant to ORS 109.506.

SECTION 138. ORS 412.024 is amended to read:

412.024. (1) An applicant or recipient of aid, except for recipients of aid under the JOBS Plus Program established in ORS 411.878, must assign to the state any rights to support that may be due from any other person to a family member for whom the applicant is applying for or receiving aid. If aid is paid and received for the support of a child, the rights to child support that any person may have for the child are deemed to have been assigned by operation of law to the state. Notice of the assignment by operation of law shall be given to the applicant at the time of application for public assistance, and shall be given to any obligee who may hold some interest in such support rights by depositing a notice in the United States mail, postage prepaid, addressed to the last-known address of such person. Assignment of support rights to the state shall be as set forth in rules adopted by the Department of Human Services and the Department of Justice.

(2) Except as otherwise provided in this subsection, an applicant or recipient who receives aid shall cooperate with the Department of Human Services and the Department of Justice in establishing the [*paternity*] **parentage** of the applicant's or recipient's child born out of wedlock and in obtaining support or other payments or property due the applicant or child. An applicant or recipient is not required to cooperate if there is good cause or some other exception to the cooperation requirement that takes into account the best interest of the child. The Department of Human Services shall adopt rules defining good cause, other exceptions to cooperation and noncooperation by an applicant or recipient, and setting the sanction for noncooperation. The sanction may include total ineligibility of the family for aid, but in no situation may the sanction be less than a 25 percent reduction of the monthly grant amount. At the time an applicant applies for aid, the Department of Human Services shall inform the applicant, in writing, of the requirement of and exceptions to cooperation and the sanctions for noncooperation, and shall inform recipients, in writing, whenever eligibility for aid is redetermined.

(3) This section shall apply to recipients of aid pursuant to the temporary assistance for needy families program as long as the aid is funded in whole or in part with federal grants under Title IV-A of the Social Security Act.

SECTION 139. ORS 412.072 is amended to read:

412.072. (1) The Department of Human Services shall:

(a) Identify applicants for and recipients of assistance under the temporary assistance for needy families program who are currently victims of domestic violence, have been victims of domestic violence or are at risk of victimization by domestic violence.

(b) Ensure that appropriate individuals on the local level who provide assistance to domestic violence victims participate in individualized case management with the department.

(c) Refer individuals identified under this subsection to appropriate counseling and support services.

(d) Waive or modify any temporary assistance for needy families program requirements that may make it more difficult for individuals identified under this subsection to escape domestic violence or place those individuals at risk of further or future domestic violence, including but not limited to:

(A) Time limits on receipt of benefits;

(B) Work requirements;

(C) [*Paternity*] **Parentage** establishment and child support cooperation requirements;

(D) Residency requirements;

(E) Family cap provisions; and

(F) Penalties for failure to comply with a program requirement.

(e) Maintain emergency assistance eligibility and payment limits for victims of domestic violence or persons at risk of victimization by domestic violence identified under this section at no less than the levels in effect on January 1, 1997.

(f) Allow eligibility for temporary assistance for needy families for persons identified under this section as victims of domestic violence or persons identified as at risk of victimization by domestic violence who would otherwise be eligible except for the fact that they are noncitizens.

(2) All information received by the department in identifying the individuals described in subsection (1) of this section shall remain confidential.

(3) For purposes of this section, "domestic violence" means the occurrence of one or more of the following acts between family members, intimate partners or household members:

(a) Attempting to cause or intentionally, knowingly or recklessly causing physical injury or emotional, mental or verbal abuse;

(b) Intentionally, knowingly or recklessly placing another in fear of imminent serious physical injury;

(c) Committing sexual abuse in any degree as defined in ORS 163.415, 163.425 and 163.427; or

(d) Using coercive or controlling behavior.

(4) Nothing in this section prohibits disclosure of information for the purposes of making a report of suspected abuse as required under ORS 124.060, 419B.010, 430.765 or 441.640.

SECTION 140. ORS 418.044 is amended to read:

418.044. (1) The Governor's Child Foster Care Advisory Commission shall advise the Governor, the Director of Human Services, the Director of the Oregon Health Authority and the Director of the Oregon Youth Authority, and make recommendations for legislation, regarding the foster care system in this state. In addition, the commission shall study and report to the Governor and the directors with respect to the following:

(a) Legal and policy issues pertaining to the foster care system in this state;

(b) Monitoring accountability in the foster care system by measuring outcomes, including but not limited to the following:

(A) Increasing the number of children committed to the custody of the Department of Human Services who are placed with family members, relatives or next of kin;

(B) Decreasing the number of placements in, and removals from, substitute care for individual children committed to the custody of the department;

(C) Decreasing the length of time children spend in substitute care;

(D) Decreasing incidences of abuse, neglect and maltreatment for children in substitute care;

(E) Increasing the number of children who receive permanent placements within 24 months of entering substitute care;

(F) Decreasing the number of children who, upon becoming ineligible for substitute care, have not achieved independent living status;

(G) Increasing the number of children who are placed with adoptive parents within 12 months of termination of the parental rights of a child's [*biological*] **genetic** parents;

(H) Reducing demographic disproportionality in substitute care;

(I) Increasing the number of families involved in the foster care system receiving services and assistance to make it possible for children in substitute care to safely return home; and

(J) Increasing the number of families involved in the foster care system having access to culturally relevant services;

(c) Necessary and recommended improvements to the internal operations of the department, including but not limited to the following:

(A) Monitoring, licensing and supervision of foster care providers;

(B) Caseload management;

(C) Procedures for investigation of abuses and deficiencies;

(D) Recruitment, training and retention of foster parents; and

(E) Quality assurance;

(d) Recommendations to improve and expand the availability of foster care and, where applicable, to provide alternatives to foster care for children who are in need of care and services;

(e) Promotion of responsible statewide advocacy for children in foster care; and

(f) Ongoing review of foster care providers in this state and the identification of barriers to the provision of quality care and services to children in the foster care system.

(2) In undertaking the commission's responsibilities under subsection (1) of this section, the commission shall consider reports, findings and recommendations that have been or will be issued by legislative and agency task forces, work groups and committees that have undertaken study, review or oversight of the foster care system in this state.

(3) The commission may adopt rules to carry out the provisions of this section.

SECTION 141. ORS 418.480 is amended to read:

418.480. As used in ORS 418.480 to 418.500, "purchase of care" includes the purchase of institutional and foster family care and services, adoptive

services, services provided by Strengthening, Preserving and Reunifying Families programs under ORS 418.575 to 418.598, services to [*the unwed mother and her child*] **an unmarried parent who gave birth to a child and the child** and such other care and services as the Department of Human Services shall determine to be necessary to carry out the policy stated in ORS 418.485.

SECTION 142. ORS 419A.004 is amended to read:

419A.004. As used in this chapter and ORS chapters 419B and 419C, unless the context requires otherwise:

(1) "Adjudicated youth" means a person who has been found to be within the jurisdiction of the juvenile court under ORS 419C.005 for an act committed when the person was under 18 years of age.

(2) "Age-appropriate or developmentally appropriate activities" means:

(a) Activities or items that are generally accepted as suitable for children of the same chronological age or level of maturity or that are determined to be developmentally appropriate for a child, based on the development of cognitive, emotional, physical and behavioral capacities that are typical for an age or age group; and

(b) In the case of a specific child, activities or items that are suitable for the child based on the developmental stages attained by the child with respect to the cognitive, emotional, physical and behavioral capacities of the child.

(3) "Alleged genetic parent" has the meaning given that term in section 2 of this 2025 Act.

[*(3)*] **(4)** "Another planned permanent living arrangement" means an out-of-home placement for a ward 16 years of age or older that is consistent with the case plan and in the best interests of the ward other than placement:

(a) By adoption;

(b) With a legal guardian; or

(c) With a fit and willing relative.

[*(4)*] **(5)** "CASA Volunteer Program" means a program that is approved or sanctioned by a juvenile court, has received accreditation from the National CASA Association and has entered into a contract with the statewide coordinating entity contracted with by the Oregon Department of Administrative Services under ORS 184.492 to recruit, train and supervise diverse and culturally responsive volunteers to serve as court appointed special advocates.

[*(5)*] **(6)** "Child care center" means a residential facility for wards or adjudicated youths that is licensed, certified or otherwise authorized as a child-caring agency as that term is defined in ORS 418.205.

[*(6)*] **(7)** "Community service" has the meaning given that term in ORS 137.126.

[*(7)*] **(8)** "Conflict of interest" means a person appointed to a local citizen review board who has a personal or pecuniary interest in a case being reviewed by that board.

[*(8)*] **(9)** "Counselor" means a juvenile department counselor or a county juvenile probation officer.

[*(9)*] **(10)** "Court" means the juvenile court.

[*(10)*] **(11)** "Court appointed special advocate" means a person in a CASA Volunteer Program who is appointed by the court to act as a court appointed special advocate pursuant to ORS 419B.112.

[*(11)*] **(12)** "Court facility" has the meaning given that term in ORS 166.360.

[*(12)*] **(13)** "Current caretaker" means a foster parent:

(a) Who is currently caring for a ward who is in the legal custody of the Department of Human Services and who has a permanency plan or concurrent permanent plan of adoption; and

(b) Who has cared for the ward, or at least one sibling of the ward, for at least 12 cumulative months or for one-half of the ward's or sibling's life where the ward or sibling is younger than two years of age, calculated cumulatively.

[*(13)*] **(14)** "Department" means the Department of Human Services.

[*(14)*] **(15)** "Detention" or "detention facility" means a facility established under ORS 419A.010 to 419A.020 and 419A.050 to 419A.063 for the detention of youths or adjudicated youths pursuant to a judicial commitment or order.

[*(15)*] **(16)** "Director" means the director of a juvenile department established under ORS 419A.010 to 419A.020 and 419A.050 to 419A.063.

[*(16)*] **(17)** "Guardian" means guardian of the person and not guardian of the estate.

[*(17)*] **(18)** "Indian child" has the meaning given that term in ORS 419B.603.

[*(18)*] **(19)** "Juvenile court" means the court having jurisdiction of juvenile matters in the several counties of this state.

[*(19)*] **(20)** "Local citizen review board" means the board specified by ORS 419A.090 and 419A.092.

[*(20)*] **(21)** "Parent" means the [*biological*] **genetic** or adoptive mother and the legal parent of the child, ward, youth or adjudicated youth. As used in this subsection, "legal parent" means:

(a) A person who has adopted the child, ward, youth or adjudicated youth or whose parentage has been established or declared under ORS 25.501 to 25.556 or 109.065 or by a juvenile court; and

(b) If the child is an Indian child, a man whose parentage has been established as described in ORS 419B.609.

[*(21)*] **(22)** "Permanent foster care" means an out-of-home placement in which there is a long-term contractual foster care agreement between the foster parents and the department that is approved by the juvenile court and in which the foster parents commit to raise a ward in substitute care or adjudicated youth until the age of majority.

[*(22)*] **(23)** "Public building" has the meaning given that term in ORS 166.360.

[*(23)*] **(24)** "Proctor foster home" has the meaning given that term in ORS 418.205.

[*(24)*] **(25)** "Qualified residential treatment program" means a program described in ORS 418.323.

[*(25)*] **(26)** "Reasonable and prudent parent standard" means the standard, characterized by careful and sensible parental decisions that maintain the health, safety and best interests of a child or ward while encouraging the emotional and developmental growth of the child or ward, that a substitute care provider shall use when determining whether to allow a child or ward in substitute care to participate in extracurricular, enrichment, cultural and social activities.

[*(26)*] **(27)** "Reasonable time" means a period of time that is reasonable given a child or ward's emotional and developmental needs and ability to form and maintain lasting attachments.

[*(27)*] **(28)** "Records" means any information in written form, pictures, photographs, charts, graphs, recordings or documents pertaining to a case.

[*(28)*] **(29)** "Resides" or "residence," when used in reference to the residence of a child, ward, youth or adjudicated youth, means the place where the child, ward, youth or adjudicated youth is actually living or the jurisdiction in which wardship or jurisdiction has been established.

[*(29)*] **(30)** "Restitution" has the meaning given that term in ORS 137.103.

[*(30)*] **(31)** "Serious physical injury" means:

(a) A serious physical injury as defined in ORS 161.015; or

(b) A physical injury that:

(A) Has a permanent or protracted significant effect on a child's daily activities;

(B) Results in substantial and recurring pain; or

(C) In the case of a child under 10 years of age, is a broken bone.

[*(31)*] **(32)** "Shelter care" means a home or other facility suitable for the safekeeping of a child, ward, youth or adjudicated youth who is taken into temporary custody pending investigation and disposition.

[*(32)*] **(33)** "Short-term detention facility" means a facility established under ORS 419A.050 (3) for holding youths and adjudicated youths pending further placement.

[*(33)*] **(34)** "Sibling" means one of two or more children or wards related:

(a) By blood or adoption through a common legal parent; or

(b) Through the marriage of the children's or wards' legal or [*biological*] **genetic** parents.

[*(34)*] **(35)**(a) "Substitute care" means an out-of-home placement directly supervised by the department or other agency, including placement in a foster family home, group home, child-caring agency as defined in ORS 418.205 or other child caring institution or facility.

(b) "Substitute care" does not include care in:

(A) A detention facility, forestry camp or youth correction facility;

(B) A family home that the court has approved as a ward's permanent placement, when a child-caring agency as defined in ORS 418.205 has been appointed guardian of the ward and when the ward's care is entirely privately financed;

(C) In-home placement subject to conditions or limitations;

(D) A facility or other entity that houses or provides services only to adjudicated youths committed to the custody of the Oregon Youth Authority by the juvenile court; or

(E) An adjudicated youth foster home as that term is defined in ORS 420.888.

[*(35)*] **(36)** "Surrogate" means a person appointed by the court to protect the right of the child, ward, youth or adjudicated youth to receive procedural safeguards with respect to the provision of free appropriate public education.

[*(36)*] **(37)** "Tribal court" has the meaning given that term in ORS 419B.603.

[*(37)*] **(38)** "Victim" means any person determined by the district attorney, the juvenile department or the court to have suffered direct financial, psychological or physical harm as a result of the act that has brought the youth or adjudicated youth before the juvenile court. When the victim is a minor, "victim" includes the legal guardian of the minor. The youth or adjudicated youth may not be considered the victim. When the victim of the crime cannot be determined, the people of Oregon, as represented by the district attorney, are considered the victims.

[*(38)*] **(39)** "Violent felony" means any offense that, if committed by an adult, would constitute a felony and:

(a) Involves actual or threatened serious physical injury to a victim; or

(b) Is a sexual offense. As used in this paragraph, "sexual offense" has the meaning given the term "sex crime" in ORS 163A.005.

[*(39)*] **(40)** "Ward" means a person within the jurisdiction of the juvenile court under ORS 419B.100.

[*(40)*] **(41)** "Young person" means a person who has been found responsible except for insanity under ORS 419C.411 and placed under the jurisdiction of the Psychiatric Security Review Board.

[*(41)*] **(42)** "Youth" means a person under 18 years of age who is alleged to have committed an act that is a violation, or, if done by an adult would constitute a violation, of a law or ordinance of the United States or a state, county or city.

[*(42)*] **(43)** "Youth care center" has the meaning given that term in ORS 420.855.

SECTION 143. ORS 419B.510 is amended to read:

419B.510. (1) The rights of the parent may be terminated as provided in ORS 419B.500 if the court finds that the child or ward was conceived as the result of an act that led to the parent's conviction for rape under ORS **163.355,** 163.365 or 163.375 or other comparable law of another jurisdiction.

(2) Termination of parental rights under subsection (1) of this section does not relieve the parent of any obligation to pay child support.

(3) Termination of parental rights under subsection (1) of this section is an independent basis for termination of parental rights and the court need not make any of the considerations or findings described in ORS 419B.502, 419B.504, 419B.506 or 419B.508.

SECTION 144. ORS 419B.839 is amended to read:

419B.839. (1) Summons in proceedings to establish jurisdiction under ORS 419B.100 must be served on:

(a) The parents of the child without regard to who has legal or physical custody of the child;

(b) The legal guardian of the child;

(c) [*A putative father*] **An alleged genetic parent** of the child who satisfies the criteria set out in ORS 419B.875 (1)(a)(C), except as provided in subsection (4) of this section;

(d) [*A putative father*] **An alleged genetic parent** of the child if notice of the initiation of [*filiation or*] parentage proceedings was on file with the Center for Health Statistics of the Oregon Health Authority prior to the initiation of the juvenile court proceedings, except as provided in subsection (4) of this section;

(e) The person who has physical custody of the child, if the child is not in the physical custody of a parent; and

(f) The child, if the child is 12 years of age or older.

(2) If it appears to the court that the welfare of the child or of the public requires that the child immediately be taken into custody, the court may indorse an order on the summons directing the officer serving it to take the child into custody.

(3) Summons may be issued requiring the appearance of any person whose presence the court deems necessary.

(4) Summons under subsection (1) of this section is not required to be given to [*a putative father*] **an alleged genetic parent** whom a court of competent jurisdiction has found not to be the child's legal parent or who has filed a petition for [*filiation*] **adjudication of parentage** that was dismissed if no appeal from the judgment or order is pending.

(5) If a guardian ad litem has been appointed for a parent under ORS 419B.231, a copy of a summons served on the parent under this section must be provided to the guardian ad litem.

SECTION 145. ORS 419B.875 is amended to read:

419B.875. (1)(a) Parties to proceedings in the juvenile court under ORS 419B.100 and 419B.500 are:

(A) The child or ward;

(B) The parents or guardian of the child or ward;

(C) [*A putative father*] **An alleged genetic parent** of the child or ward who has demonstrated a direct and significant commitment to the child or ward by assuming, or attempting to assume, responsibilities normally associated with parenthood, including but not limited to:

(i) Residing with the child or ward;

(ii) Contributing to the financial support of the child or ward; or

(iii) Establishing psychological ties with the child or ward;

(D) The state;

(E) The juvenile department;

(F) A court appointed special advocate, if appointed;

(G) The Department of Human Services or other child-caring agency if the department has taken the child or ward into protective custody or if the department or agency has temporary custody of the child or ward; and

(H) If the child or ward is an Indian child:

(i) The Indian child's tribe; and

(ii) The Indian child's Indian custodian.

(b) An intervenor who is granted intervention under ORS 419B.116 is a party to a proceeding under ORS 419B.100. An intervenor under this paragraph is not a party to a proceeding under ORS 419B.500.

(c) If an Indian child is a member of or is eligible for membership in more than one tribe, the court may, in its discretion, permit a tribe, in addition to the Indian child's tribe, to participate in a proceeding under this chapter involving the Indian child in an advisory capacity or as a party.

(2) The rights of the parties include, but are not limited to:

(a) The right to notice of the proceeding and copies of the petitions, answers, motions and other papers;

(b) The right to appear with counsel and, except for intervenors under subsection (1)(b) of this section, to have counsel appointed as otherwise provided by law;

(c) The right to call witnesses, cross-examine witnesses and participate in hearings;

(d) The right of appeal; and

(e) The right to request a hearing.

(3) [*A putative father*] **An alleged genetic parent** who satisfies the criteria set out in subsection (1)(a)(C) of this section shall be treated as a parent, as that term is used in this chapter and ORS chapters 419A and 419C, until the court confirms [*his parentage*] **the alleged genetic parent's parentage** or finds that [*he*] **the alleged genetic parent** is not the legal or [*biological*] **genetic** parent of the child or ward.

(4) If no appeal from the judgment or order is pending, [*a putative father*] **an alleged genetic parent** whom a court of competent jurisdiction has found not to be the child or ward's legal or [*biological*] **genetic** parent or who has filed a petition for [*filiation*] **adjudication of parentage** that was dismissed is not a party under subsection (1) of this section.

(5)(a) A person granted rights of limited participation under ORS 419B.116 is not a party to a proceeding under ORS 419B.100 or 419B.500 but has only those rights specified in the order granting rights of limited participation.

(b) Persons moving for or granted rights of limited participation are not entitled to appointed counsel but may appear with retained counsel.

(6) If a foster parent, preadoptive parent or relative is currently providing care for a child or ward, the Department of Human Services shall give the foster parent, preadoptive parent or relative notice of a proceeding concerning the child or ward. A foster parent, preadoptive parent or relative providing care for a child or ward has the right to be heard at the proceeding. Except when allowed to intervene, the foster parent, preadoptive parent or relative providing care for the child or ward is not considered a party to the juvenile court proceeding solely because of notice and the right to be heard at the proceeding.

(7)(a) The Department of Human Services shall make diligent efforts to identify and obtain contact information for the grandparents of a child or ward committed to the department's custody. Except as provided in paragraph (b) of this subsection, when the department knows the identity of and has contact information for a grandparent, the department shall give the grandparent notice of a hearing concerning the child or ward. Upon a showing of good cause, the court may relieve the department of its responsibility to provide notice under this paragraph.

(b) If a grandparent of a child or ward is present at a hearing concerning the child or ward, and the court informs the grandparent of the date and time of a future hearing, the department is not required to give notice of the future hearing to the grandparent.

(c) If a grandparent is present at a hearing concerning a child or ward, the court shall give the grandparent an opportunity to be heard.

(d) The court's orders or judgments entered in proceedings under ORS 419B.185, 419B.310, 419B.325, 419B.449, 419B.476 and 419B.500 must include findings of the court as to whether the grandparent had notice of the hearing, attended the hearing and had an opportunity to be heard.

(e) Notwithstanding the provisions of this subsection, a grandparent is not a party to the juvenile court proceeding unless the grandparent has been granted rights of intervention under ORS 419B.116.

(f) As used in this subsection, "grandparent" means the legal parent of the child's or ward's legal parent, regardless of whether the parental rights of the child's or ward's legal parent have been terminated under ORS 419B.500 to 419B.524.

(8) Interpreters for parties and persons granted rights of limited participation shall be appointed in the manner specified by ORS 45.275 and 45.285.

SECTION 146. ORS 432.005, as amended by section 76, chapter 73, Oregon Laws 2024, is amended to read:

432.005. As used in this chapter, unless the context requires otherwise:

(1) **"Acknowledged parent" has the meaning given that term in section 2 of this 2025 Act.**

(2) "Alkaline hydrolysis" or "hydrolysis" means the technical process for reducing human remains by placing the remains in a dissolution chamber that uses heat, pressure, water and base chemical agents, in a licensed hydrolysis facility, to reduce human remains to bone fragments and essential elements.

(3) "Alleged genetic parent" has the meaning given that term in section 2 of this 2025 Act.

[*(2)*] **(4)** "Amendment" means a change to an item that appears on a certified copy of a vital record after a certified copy has been issued.

(5) "Assisted reproduction" has the meaning given that term in section 2 of this 2025 Act.

[*(3)*] **(6)** "Authorized representative" means an agent designated in a written statement signed by the registrant or other qualified applicant, the signing of which was witnessed.

[*(4)*] **(7)** "Certified copy" means the document, in either paper or electronic format, issued by the State Registrar of the Center for Health Statistics and containing all or a part of the information contained on the original vital record, and which, when issued by the state registrar, has the full force and effect of the original vital record.

[*(5)*] **(8)** "Certified copy item" means any item of information that appears on a certified copy.

[*(6)*] **(9)** "Certifier" means a person required to attest to the accuracy of information submitted on a report.

[*(7)*] **(10)** "Correction" means a change to an item that is not included in a certified copy of a vital record, or a change to an item that is included in a certified copy provided that no certified copy has been issued.

[*(8)*] **(11)** "Court of competent jurisdiction" means a court within the United States with jurisdiction over a person subject to regulation under this chapter.

[*(9)*] **(12)** "Date of registration" means the month, day and year a vital record is incorporated into the official records of the Center for Health Statistics.

[*(10)*] **(13)** "Dead body" means a human body or such parts of such human body from the condition of which it reasonably may be concluded that death occurred.

[*(11)*] **(14)** "Electronic signature" means an electronic sound, symbol or process attached to or logically associated with a contract or other record that is executed or adopted by a person with the intent to attest to the accuracy of the facts in the record.

[*(12) "Government agency" means a unit of federal, state, local or tribal government.*]

[*(13) "Health research" means a systematic study to gain information and understanding about health, with the goal of finding ways to improve human health, that conforms to or is conducted in accordance with generally accepted scientific standards or principles and that is designed to develop or contribute to general scientific knowledge.*]

[*(14)*] **(15)** "Facts of live birth" means the name of the child, date of birth, place of birth, sex and

parent's name or parents' names appearing on the record of live birth.

[*(15)*] **(16)** "Fetal death" means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, that is not an induced termination of pregnancy. The death is indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord or definite movement of the voluntary muscles.

[*(16)*] **(17)** "Final disposition" means the burial, interment, cremation, reduction, removal from the state or other authorized disposition of a dead body or fetus, except that when removal from the state is conducted by the holder of a certificate of removal registration issued under ORS 692.270, the final disposition may not be considered complete until the report of death is filed.

(18) "Gestational surrogate" has the meaning given that term in section 2 of this 2025 Act.

(19) "Government agency" means a unit of federal, state, local or tribal government.

(20) "Health research" means a systematic study to gain information and understanding about health, with the goal of finding ways to improve human health, that conforms to or is conducted in accordance with generally accepted scientific standards or principles and that is designed to develop or contribute to general scientific knowledge.

[*(17)*] **(21)**(a) "Human remains" means a dead body.

(b) "Human remains" does not include cremated or reduced human remains recovered after cremation or reduction.

[*(18)*] **(22)**(a) "Induced termination of pregnancy" means the purposeful interruption of an intrauterine pregnancy with the intention other than to produce a live-born infant and that does not result in a live birth.

(b) "Induced termination of pregnancy" does not include management of prolonged retention of products of conception following fetal death.

[*(19)*] **(23)** "Institution" means any establishment, public or private, that provides inpatient or outpatient medical, surgical or diagnostic care or treatment or nursing, custodial or domiciliary care, or to which persons are committed by law.

(24) "Intended parent" has the meaning given that term in section 2 of this 2025 Act.

[*(20)*] **(25)** "Interment" means the disposition of human remains by entombment or burial.

[*(21)*] **(26)** "Legal representative" means a licensed attorney representing the registrant or other qualified applicant.

[*(22)*] **(27)** "Live birth" means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, that, after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached.

[*(23)*] **(28)** "Medical certifier" means a physician, physician associate or nurse practitioner licensed under the laws of this state or under the laws of Washington, Idaho or California who has treated a decedent within the 12 months preceding death.

[*(24)*] **(29)** "Natural organic reduction" means the contained, accelerated conversion of human remains to soil.

[*(25)*] **(30)** "Person acting as a funeral service practitioner" means:

(a) A person other than a funeral service practitioner licensed under ORS 692.045, including but not limited to a relative, friend or other interested party, who performs the duties of a funeral service practitioner without payment; or

(b) A funeral service practitioner who submits reports of death in another state if the funeral service practitioner is employed by a funeral establishment licensed in another state and registered with the State Mortuary and Cemetery Board under ORS 692.270.

[*(26)*] **(31)** "Person in charge of an institution" means the officer or employee who is responsible for administration of an institution.

[*(27)*] **(32)** "Personally identifiable information" means information that can be used to distinguish or trace an individual's identity or, when combined with other personal or identifying information, is linked or linkable to a specific individual.

[*(28)*] **(33)** "Physician" means a person authorized to practice medicine, chiropractic or naturopathic medicine under the laws of this state or under the laws of Washington, Idaho or California, a physician associate licensed under ORS 677.505 to 677.525 or a nurse practitioner licensed under ORS 678.375 to 678.390.

[*(29)*] **(34)** "Record" means a report that has been registered by the state registrar.

[*(30)*] **(35)** "Record of foreign live birth" means a document registered by the state registrar for a person born in a foreign country who may or may not be a citizen of the United States and who was adopted under the laws of this state.

[*(31)*] **(36)** "Reduction" means an authorized process for reducing human remains. Authorized processes for reducing human remains include alkaline hydrolysis, natural organic reduction and any other alternative process authorized by the State Mortuary and Cemetery Board.

[*(32)*] **(37)** "Registration" means the process by which vital records and reports are accepted and incorporated into the official records of the Center for Health Statistics.

[*(33)*] **(38)** "Report" means a document, whether in paper or electronic format, containing information related to a vital event submitted by a person required to submit the information to the state registrar for the purpose of registering a vital event.

[*(34)*] **(39)** "State" includes a state or territory of the United States, the District of Columbia and New York City.

(40) "Surrogacy agreement" has the meaning given that term in section 2 of this 2025 Act.

[*(35)*] **(41)** "System of vital statistics" means:

(a) The collection, registration, preservation, amendment, certification and verification of, and the maintenance of the security and integrity of, vital records;

(b) The collection of reports required by this chapter; and

(c) Activities related to the activities described in paragraphs (a) and (b) of this subsection, including the tabulation, analysis, dissemination and publication of vital statistics and training in the use of health data.

[*(36)*] **(42)** "Verification" means confirmation of the information on a vital record based on the facts contained in a report.

[*(37)*] **(43)** "Vital record" means a report of a live birth, death, fetal death, marriage, declaration of domestic partnership, dissolution of marriage or domestic partnership and related data that have been accepted for registration and incorporated into the official records of the Center for Health Statistics.

[*(38)*] **(44)** "Vital statistics" means the aggregated data derived from records and reports of live birth, death, fetal death, induced termination of pregnancy, marriage, declaration of domestic partnership, dissolution of marriage, dissolution of domestic partnership and supporting documentation and related reports.

SECTION 147. ORS 432.148 is amended to read:

432.148. (1) The State Registrar of the Center for Health Statistics shall establish a Commemorative Certificate of Stillbirth. The certificate shall be signed by the state registrar.

(2) The state registrar shall issue a Commemorative Certificate of Stillbirth for a stillbirth occurring on or after January 1, 1999, upon:

(a) Request of a [*biological*] **genetic** parent of the stillborn fetus; and

(b) Payment of the fee adopted by the state registrar by rule.

(3) The state registrar shall adopt by rule:

(a) A form for the certificate;

(b) The type of information that may be included on the form; and

(c) The fee required for issuance of the certificate.

(4) A certificate issued under this section is for commemorative purposes only and has no legal effect.

SECTION 148. ORS 432.253, as amended by section 1, chapter 21, Oregon Laws 2024, is amended to read:

432.253. (1) If an original record of live birth for a person at least 21 years of age was sealed under ORS 432.245 and was later opened under ORS 432.228 or 432.250, and the paternity or parentage of the person has been determined by DNA (deoxyribonucleic acid) testing or by other means, the person may apply to the Center for Health Statistics to add or change the name of a [*biological*] **genetic** parent on the original record of live birth.

(2) An application under this section must include:

(a) Evidence of a DNA test or other evidence that shows that the person whose name is to be entered as a [*biological*] **genetic** parent is the [*biological*] **genetic** parent of the applicant; and

(b)(A) If the person whose name is to be entered as a [*biological*] **genetic** parent is living, an affidavit attesting that the person is a [*biological*] **genetic** parent of the applicant and that the name to be entered is that of the [*biological*] **genetic** parent that was omitted from the original record of live birth; or

(B) If the person whose name is to be entered as a [*biological*] **genetic** parent is deceased, an affidavit from the personal representative or a relative of the person attesting that the person is a [*biological*] **genetic** parent of the applicant and that the name to be entered is that of the [*biological*] **genetic** parent that was omitted from the original record of live birth.

(3) If the name of a [*biological*] **genetic** parent is entered on an original record of live birth under this section:

(a) A person may only obtain a noncertified copy of a record of live birth amended under this section.

(b) A notation indicating that the record was amended must be shown on all copies of the record.

(c) The center shall prominently display the following language on all copies of the record: "THIS RECORD OF LIVE BIRTH MAY NOT BE USED FOR ANY LEGAL PURPOSE AND DOES NOT CREATE ANY LEGAL RIGHTS FOR THE CHILD OR THE PARENTS LISTED ON THE RECORD."

(4) The center shall adopt rules regarding:

(a) The establishment and collection of fees for the preparation and registration of an amended original record of live birth and for the issuance of a noncertified copy of an amended original record of live birth under this section.

(b) Consent and affidavit forms, proof of identification requirements and the evidentiary requirements to substantiate that a person is an omitted [*biological*] **genetic** parent of an applicant under this section.

SECTION 149. ORS 432.295 is amended to read:

432.295. (1) In consultation with the State Archivist, the State Registrar of the Center for Health Statistics shall develop and implement a preservation management program to preserve vital record documents and information and meet generally accepted standards for permanent preservation.

(2) The state registrar shall prepare typewritten, photographic, electronic or other reproductions of vital records or reports kept and maintained in the Center for Health Statistics. These reproductions,

when verified and approved by the state registrar, shall be accepted as the original vital record documents. The original vital record documents from which permanent reproductions have been made may be disposed of as described in ORS 192.105 or as provided by rule of the state registrar.

(3) The state registrar shall provide for the continued availability and integrity of vital event information. To ensure such availability and integrity, the state registrar may keep and maintain redundant copies of information in multiple locations and formats, such as microfilm, microfiche, imaging and electronic databases.

(4) The preservation management program must provide for the continued availability of historic vital record documents and information for research and related purposes. Vital records are historic when 100 years have elapsed after the date of live birth for births occurring after 1914, 50 years have elapsed after the date of death for deaths occurring after 1964, 50 years have elapsed after the date of fetal death for fetal deaths occurring after 1964 or 50 years have elapsed after the date of marriage, domestic partnership, dissolution of marriage or dissolution of domestic partnership for such events occurring after 1964. Supporting documents, including corrections and acknowledgments of paternity **or parentage**, may be included with historic vital records. Records under seal are not historic unless unsealed by court order.

(5) Historic vital records shall be transferred to the State Archives in accordance with archival procedures for the continued safekeeping of the vital records. The State Archives may not charge the Center for Health Statistics for the transfer and maintenance of historic vital records under this subsection. The state registrar shall adopt rules to ensure that the release of information contained in records of birth, death, marriage, domestic partnership and dissolution of marriage or domestic partnership, and reports of fetal death, comply with federal and state laws, regulations and rules.

MISCELLANEOUS

SECTION 150. UPA 1003. Applicability. (1) Section 67 of this 2025 Act applies to petitions and other documents relating to surrogacy agreements that are filed with the court or created on or after the effective date of this 2025 Act and, upon petition of a party to the proceeding, to petitions and other documents relating to surrogacy agreements that were filed with the court or created before the effective date of this 2025 Act.

(2) Sections 2, 5, 6, 28, 39 to 51, 54, 55, 57 to 62, 63 to 66, 68 to 72, 74, 101, 102, 104 and 105 of this 2025 Act, the amendments to sections 6, 55, 72 and 102 by sections 7, 56, 73 and 103 of this 2025 Act, the amendments to ORS 3.260, 18.052, 21.155, 25.080, 25.501, 25.503, 25.505, 25.507, 25.511, 25.550, 25.552, 25.554, 25.793, 37.220, 107.105, 107.106, 107.137, 107.179, 107.710, 109.012, 109.065, 109.070, 109.072, 109.073, 109.092, 109.094, 109.096, 109.098, 109.100, 109.103, 109.112, 109.116, 109.124, 109.125, 109.135, 109.145, 109.155, 109.165, 109.175, 109.225, 109.230, 109.231, 109.259, 109.260, 109.276, 109.287, 109.289, 109.326, 109.342, 109.410, 109.425, 109.430, 109.455, 109.460, 109.470, 109.475, 109.490, 109.500, 109.502, 109.504, 111.005, 112.077, 112.105, 163.537, 163.555, 412.024, 412.072, 418.044, 418.480, 419A.004, 419B.395, 419B.510, 419B.603, 419B.609, 419B.806, 419B.819, 419B.839, 419B.875, 432.005, 432.088, 432.093, 432.098, 432.148, 432.245, 432.253, 432.295 and 677.990 by sections 3, 8 to 26, 29 to 38, 52, 75 to 82, 89 to 100 and 106 to 149 of this 2025 Act and the repeal of ORS 109.239, 109.243, 109.247, 109.250, 109.251, 109.252, 109.254, 109.256, 109.258, 109.262, 109.264, 677.355, 677.360, 677.365 and 677.370 by sections 53 and 83 of this 2025 Act apply to:

(a) Determinations of parentage made in administrative or judicial proceedings commenced on or after the effective date of this 2025 Act.

(b) Voluntary acknowledgments of parentage executed on or after the effective date of this 2025 Act.

(c) Surrogacy agreements entered into on or after the effective date of this 2025 Act and to surrogacy agreements entered into before the effective date of this 2025 Act that are amended or restated after the effective date of this 2025 Act.

(d) Estates of decedents dying on or after the effective date of this 2025 Act.

SECTION 151. UPA 1004. Severability. If any provision of sections 2, 5, 6, 28, 39 to 51, 54, 55, 57 to 62, 63 to 72, 74, 84 to 88, 101, 102, 104 and 105 of this 2025 Act, the amendments to sections 6, 55, 72 and 102 by sections 7, 56, 73 and 103 of this 2025 Act, the amendments to ORS 3.260, 18.052, 21.155, 25.080, 25.501, 25.503, 25.505, 25.507, 25.511, 25.550, 25.552, 25.554, 25.793, 37.220, 107.105, 107.106, 107.137, 107.179, 107.710, 109.012, 109.065, 109.070, 109.072, 109.073, 109.092, 109.094, 109.096, 109.098, 109.100, 109.103, 109.112, 109.116, 109.124, 109.125, 109.135, 109.145, 109.155, 109.165, 109.175, 109.225, 109.230, 109.231, 109.259, 109.260, 109.276, 109.287, 109.289, 109.326, 109.342, 109.410, 109.425, 109.430, 109.455, 109.460, 109.470, 109.475, 109.490, 109.500, 109.502, 109.504, 111.005, 112.077, 112.105, 163.537, 163.555, 412.024, 412.072, 418.044, 418.480, 419A.004, 419B.395, 419B.510, 419B.603, 419B.609, 419B.806, 419B.819, 419B.839, 419B.875, 432.005, 432.088, 432.093, 432.098, 432.148, 432.245, 432.253, 432.295 and 677.990 by sections 3, 8 to 26, 29 to 38, 52, 75 to 82, 89 to 100 and 106 to 149 of this 2025 Act and the repeal of ORS 109.239, 109.243, 109.247, 109.250, 109.251, 109.252, 109.254, 109.256, 109.258, 109.262, 109.264, 677.355, 677.360, 677.365 and 677.370 by sections 53 and 83 of this 2025 Act or its application to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications of sections 2, 5,

6, 28, 39 to 51, 54, 55, 57 to 62, 63 to 72, 74, 84 to 88, 101, 102, 104 and 105 of this 2025 Act, the amendments to sections 6, 55, 72 and 102 by sections 7, 56, 73 and 103 of this 2025 Act, the amendments to ORS 3.260, 18.052, 21.155, 25.080, 25.501, 25.503, 25.505, 25.507, 25.511, 25.550, 25.552, 25.554, 25.793, 37.220, 107.105, 107.106, 107.137, 107.179, 107.710, 109.012, 109.065, 109.070, 109.072, 109.073, 109.092, 109.094, 109.096, 109.098, 109.100, 109.103, 109.112, 109.116, 109.124, 109.125, 109.135, 109.145, 109.155, 109.165, 109.175, 109.225, 109.230, 109.231, 109.259, 109.260, 109.276, 109.287, 109.289, 109.326, 109.342, 109.410, 109.425, 109.430, 109.455, 109.460, 109.470, 109.475, 109.490, 109.500, 109.502, 109.504, 111.005, 112.077, 112.105, 163.537, 163.555, 412.024, 412.072, 418.044, 418.480, 419A.004, 419B.395, 419B.510, 419B.603, 419B.609, 419B.806, 419B.819, 419B.839, 419B.875, 432.005, 432.088, 432.093, 432.098, 432.148, 432.245, 432.253, 432.295 and 677.990 by sections 3, 8 to 26, 29 to 38, 52, 75 to 82, 89 to 100 and 106 to 149 of this 2025 Act and the repeal of ORS 109.239, 109.243, 109.247, 109.250, 109.251, 109.252, 109.254, 109.256, 109.258, 109.262, 109.264, 677.355, 677.360, 677.365 and 677.370 by sections 53 and 83 of this 2025 Act that can be given effect without the invalid provision or application, and to this end the provisions of sections 2, 5, 6, 28, 39 to 51, 54, 55, 57 to 62, 63 to 72, 74, 84 to 88, 101, 102, 104 and 105 of this 2025 Act, the amendments to sections 6, 55, 72 and 102 by sections 7, 56, 73 and 103 of this 2025 Act, the amendments to ORS 3.260, 18.052, 21.155, 25.080, 25.501, 25.503, 25.505, 25.507, 25.511, 25.550, 25.552, 25.554, 25.793, 37.220, 107.105, 107.106, 107.137, 107.179, 107.710, 109.012, 109.065, 109.070, 109.072, 109.073, 109.092, 109.094, 109.096, 109.098, 109.100, 109.103, 109.112, 109.116, 109.124, 109.125, 109.135, 109.145, 109.155, 109.165, 109.175, 109.225, 109.230, 109.231, 109.259, 109.260, 109.276, 109.287, 109.289, 109.326, 109.342, 109.410, 109.425, 109.430, 109.455, 109.460, 109.470, 109.475, 109.490, 109.500, 109.502, 109.504, 111.005, 112.077, 112.105, 163.537, 163.555, 412.024, 412.072, 418.044, 418.480, 419A.004, 419B.395, 419B.510, 419B.603, 419B.609, 419B.806, 419B.819, 419B.839, 419B.875, 432.005, 432.088, 432.093, 432.098, 432.148, 432.245, 432.253, 432.295 and 677.990 by sections 3, 8 to 26, 29 to 38, 52, 75 to 82, 89 to 100 and 106 to 149 of this 2025 Act and the repeal of ORS 109.239, 109.243, 109.247, 109.250, 109.251, 109.252, 109.254, 109.256, 109.258, 109.262, 109.264, 677.355, 677.360, 677.365 and 677.370 by sections 53 and 83 of this 2025 Act are severable.

<u>SECTION 152. Captions.</u> The unit and section captions used in this 2025 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2025 Act.

<u>SECTION 153. Delayed operative date.</u> (1)(a) Sections 2, 5, 6, 28, 39 to 51, 54, 55, 57 to 62, 63 to 72, 74, 84 to 88, 101, 102, 104 and 105 of this 2025 Act, the amendments to sections 6, 55, 72 and 102 by sections 7, 56, 73 and 103 of this 2025 Act, the amendments to ORS 3.260, 18.052, 21.155, 25.080, 25.501, 25.503, 25.505, 25.507, 25.511, 25.550, 25.552, 25.554, 25.793, 37.220, 107.105, 107.106, 107.137, 107.179, 107.710, 109.012, 109.065, 109.070, 109.072, 109.073, 109.092, 109.094, 109.096, 109.098, 109.100, 109.103, 109.112, 109.116, 109.124, 109.125, 109.135, 109.145, 109.155, 109.165, 109.175, 109.225, 109.230, 109.231, 109.259, 109.260, 109.276, 109.287, 109.289, 109.326, 109.342, 109.410, 109.425, 109.430, 109.455, 109.460, 109.470, 109.475, 109.490, 109.500, 109.502, 109.504, 111.005, 112.077, 112.105, 163.537, 163.555, 412.024, 412.072, 418.044, 418.480, 419A.004, 419B.395, 419B.510, 419B.603, 419B.609, 419B.806, 419B.819, 419B.839, 419B.875, 432.005, 432.088, 432.093, 432.098, 432.148, 432.245, 432.253, 432.295 and 677.990 by sections 3, 8, 10 to 14, 16, 17, 19 to 21, 23, 25, 29 to 38, 52, 75 to 80, 82, 89 to 97, 99, 100 and 106 to 149 of this 2025 Act and the repeal of ORS 109.239, 109.243, 109.247, 109.250, 109.251, 109.252, 109.254, 109.256, 109.258, 109.262, 109.264, 677.355, 677.360, 677.365 and 677.370 by sections 53 and 83 of this 2025 Act become operative on January 1, 2026.

(b) The amendments to sections 6, 55, 72 and 102 of this 2025 Act by sections 7, 56, 73 and 103 of this 2025 Act and the amendments to ORS 25.554, 109.070, 109.112, 109.326, 432.088, 432.093, 432.098, 432.245 by sections 9, 15, 18, 22, 24, 26, 81 and 98 of this 2025 Act become operative on January 1, 2027.

(2) The Administrator of the Division of Child Support of the Department of Justice, Department of Human Services, State Registrar of the Center for Health Statistics, Judicial Department or Oregon Health Authority may take any action before the operative dates specified in subsection (1) of this section that is necessary to enable the agencies to exercise, on and after the operative dates specified in subsection (1) of this section, all of the duties, functions and powers conferred on the agencies by sections 2, 5, 6, 28, 39 to 51, 54, 55, 57 to 62, 63 to 72, 74, 84 to 88, 101, 102, 104 and 105 of this 2025 Act, the amendments to sections 6, 55, 72 and 102 by sections 7, 56, 73 and 103 of this 2025 Act and the amendments to ORS 3.260, 18.052, 21.155, 25.080, 25.501, 25.503, 25.505, 25.507, 25.511, 25.550, 25.552, 25.554, 25.793, 37.220, 107.105, 107.106, 107.137, 107.179, 107.710, 109.012, 109.065, 109.070, 109.072, 109.073, 109.092, 109.094, 109.096, 109.098, 109.100, 109.103, 109.112, 109.116, 109.124, 109.125, 109.135, 109.145, 109.155, 109.165, 109.175, 109.225, 109.230, 109.231, 109.259, 109.260, 109.276, 109.287, 109.289, 109.326, 109.342, 109.410, 109.425, 109.430, 109.455, 109.460, 109.470, 109.475, 109.490, 109.500, 109.502, 109.504, 111.005, 112.077, 112.105, 163.537, 163.555, 412.024, 412.072, 418.044, 418.480, 419A.004, 419B.395, 419B.510, 419B.603, 419B.609, 419B.806, 419B.819, 419B.839, 419B.875, 432.005, 432.088, 432.093, 432.098, 432.148, 432.245, 432.253, 432.295 and 677.990 by sections 3, 8 to 26, 29 to 38, 52, 75 to 82, 89 to 100 and 106 to 149 of this 2025 Act

and the repeal of ORS 109.239, 109.243, 109.247, 109.250, 109.251, 109.252, 109.254, 109.256, 109.258, 109.262, 109.264, 677.355, 677.360, 677.365 and 677.370 by sections 53 and 83 of this 2025 Act.

SECTION 154. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Health Authority, for the biennium beginning July 1, 2025, out of the General Fund, the amount of $598,249, for the Public Health Division, to review and modify forms and the electronic vital records system regarding the establishment of parentage.

SECTION 155. Notwithstanding any other law limiting expenditures, the following amounts are established for the biennium beginning July 1, 2025, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, tobacco tax receipts, marijuana tax receipts, beer and wine tax receipts, provider taxes and Medicare receipts, but excluding lottery funds and federal funds not described in this section, collected or received by the Oregon Health Authority, for the following programs, to review and modify forms and the electronic vital records system regarding the establishment of parentage:

(1)	**Public health**	**$ 898,734**
(2)	**State assessments and enterprise-wide costs**	**$ 10,078**
(3)	**Shared administrative services**	**$ 738,734**

SECTION 156. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 523, Oregon Laws 2025 (Enrolled House Bill 5014), for the biennium beginning July 1, 2025, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Justice, for the Child Advocacy Division, is increased by $183,402, for parentage law cases and training.

SECTION 157. This 2025 Act takes effect on the 91st day after the date on which the 2025 regular session of the Eighty-third Legislative Assembly adjourns sine die.

Approved by the Governor July 24, 2025
Filed in the office of Secretary of State July 28, 2025
Effective date September 26, 2025