

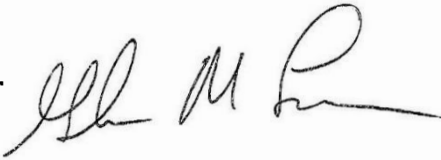
Government of the District of Columbia
Office of the Chief Financial Officer



Glen Lee
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Glen Lee
Chief Financial Officer 

DATE: September 26, 2022

SUBJECT: Fiscal Impact Statement – Paternity Establishment Amendment Act of 2022

REFERENCE: Bill 24-656, Committee Print as provided to the Office of Revenue Analysis on September 14, 2022

Conclusion

Funds are sufficient in the fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the bill.

Background

Currently unmarried parents can establish paternity of a child through DNA testing and a court order or through signing an Acknowledgement of Paternity (AOP). Under current law, when a person executes a valid AOP or when there is a judicial finding of paternity, the court is unable to order DNA testing to confirm parentage. The bill changes¹ existing law to allow for the challenging of paternity when an AOP has been signed or court order has been issued. Specifically, the bill:

- Eliminates the conclusive presumption of paternity that an AOP establishes when it can be proven that the statutory requirements for the AOP were not met;
- Allows the court to order DNA testing to establish or disestablish paternity when requested by the mother of a child, an individual who believes they are the biological parent of a child, or the individual that signed an AOP;
- Removes the bar on the court from ordering DNA testing after an AOP has been signed; and
- Establishes evidence of fraud, duress, or a material mistake of fact if court-ordered DNA test results exclude a signatory of an AOP as the father or prove that a different individual is the child's biological parent.

¹ By amending Title 16 of the District of Columbia Official Code.

The Honorable Phil Mendelson

FIS: Bill 24-656, "Paternity Establishment Amendment Act of 2022," Committee Print as provided to the Office of Revenue Analysis on September 14, 2022

The bill also allows the court to order the District to pay for DNA testing costs if an alleged parent does not have sufficient resources. This authority to order payment of costs is currently limited to cases where the District is a party.

Financial Plan Impact

Funds are sufficient in the fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the bill.

Expanding the conditions under which someone can challenge a AOP or court order does not have a direct cost to the District. Permitting the court to order the District to pay for DNA testing can be absorbed by the Office of the Attorney General.