

**199.503 Putative father registry -- Administrative regulations -- Registration -- Notification of opportunity to register -- Data storage -- Certified copy of registration form -- Confidentiality -- Information on Web site.**

- (1) The General Assembly of the Commonwealth of Kentucky hereby finds and declares that the purpose of the putative father registry established pursuant to this section is to determine the name and address of a father whose name and address have not been disclosed by the mother of the child, on or before the date the mother executes a consent to the child's adoption to an attorney or an agency that is arranging the adoption of the child, and who may have conceived a child for whom a petition for adoption has been or may be filed so that notice of the adoption may be provided to the putative father.
- (2) As used in this section, "putative father" means a male who may be a child's father, but who:
  - (a) Is not married to the child's mother on or before the date that the child is born;
  - (b) Has not established paternity of the child in a court or agency proceeding in this or another state before the filing of a petition for adoption of the child; or
  - (c) Has not completed an acknowledgment of paternity affidavit before the filing of a petition for adoption of the child.
- (3) The cabinet shall establish a putative father registry and promulgate administrative regulations to administer the registry in accordance with this section.
- (4)
  - (a) A putative father may register with the putative father registry by providing the following information to the cabinet:
    1. The putative father's name, date of birth, place of birth, place of residence, and an address at which he may be served with notice of the filing of a petition for adoption;
    2. The mother's name, date of birth, place of birth, place of residence, and mailing address, if known; and
    3. Any other information described in subsection (5) of this section that is known to the putative father.
  - (b) A putative father who registers under this section is responsible for:
    1. Verifying with the cabinet the accuracy of the registration; and
    2. Submitting to the cabinet an amended registration each time the information supplied by the putative father changes.
  - (c) A putative father who has registered pursuant to this section may revoke a registration at any time.
- (5) The cabinet shall maintain the following information in the putative father registry:
  - (a) The putative father's name, date of birth, place of birth, place of residence, and an address at which he may be served with notice of the filing of a petition for adoption;
  - (b) The mother's name, date of birth, place of birth, place of residence, and mailing address, if known;

- (c) The child's name, date of birth, and place of birth, if known;
  - (d) The date that the cabinet receives a putative father's registration;
  - (e) The name of any attorney or agency that requests the cabinet to search the registry pursuant to KRS 199.505 and the date of the request; and
  - (f) Any other information that the cabinet determines is necessary to access the information in the registry.
- (6) If a child's mother provides the name of a potential putative father and his place of residence and mailing address, if known, to the cabinet, the cabinet shall, to the best of its ability, notify the potential putative father to inform him of his opportunity to register with the putative father registry.
- (7) The cabinet shall store the registry's data so that it is accessible under the following:
- (a) The putative father's name;
  - (b) The mother's name; or
  - (c) The child's name.
- (8) Subject to subsection (9) of this section, the cabinet shall furnish a certified copy of a putative father's registration form upon written request by:
- (a) A putative father;
  - (b) A mother;
  - (c) A child;
  - (d) Any party or attorney of record in a pending adoption;
  - (e) An attorney who represents:
    - 1. Prospective adoptive parents;
    - 2. Petitioners in an adoption;
    - 3. A mother;
    - 4. A putative father; or
    - 5. A child-placing agency;
  - (f) A licensed child-placing agency that represents:
    - 1. Prospective adoptive parents;
    - 2. Petitioners in an adoption;
    - 3. A mother; or
    - 4. A putative father; or
  - (g) A court that presides over a pending adoption.
- (9) The cabinet may release the certified copy of the registration form to a person under subsection (8)(a) to (c) of this section only if the information contained in the registration form names the requesting person.
- (10) A person who makes a request pursuant to this section shall state that the requesting person is entitled to receive the information under this section. The cabinet may charge a fee of twenty-five dollars (\$25) to a person who makes a request under this section. The fee established by this subsection shall not apply to a court.

- (11) Except as otherwise provided in this section and KRS 199.505, information contained within the registry is confidential.
- (12) The cabinet shall publish information regarding the putative father registry on its Web site.

**Effective:** July 14, 2018

**History:** Created 2018 Ky. Acts ch. 159, sec. 28, effective July 14, 2018.