

REVOCATION OF PATERNITY ACT (EXCERPT)
Act 159 of 2012

***** 722.1445.amended *THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE 2024 REGULAR SESSION SINE DIE* *****

722.1445.amended Determination of paternity.

Sec. 15. (1) If an action is brought by an alleged father who proves by clear and convincing evidence that he is the child's father, the court may make a determination of paternity and enter an order of filiation as provided for under section 7 of the paternity act, 1956 PA 205, MCL 722.717.

(2) If an action is brought by a mother who, after a fact-finding hearing, proves by clear and convincing evidence that the child was conceived as a result of nonconsensual sexual penetration, the court shall do 1 of the following:

- (a) Revoke an acknowledgment of parentage for an acknowledged father.
- (b) Determine that a genetic father is not the child's father.
- (c) Set aside an order of filiation for an affiliated father.
- (d) Make a determination of paternity regarding an alleged father and enter an order of revocation of parentage for that alleged father.

(3) Subsection (2) does not apply if, after the date of the alleged nonconsensual sexual penetration described in subsection (2), the biological parents cohabit and establish a mutual custodial environment for the child.

(4) As used in this section, "sexual penetration" means that term as defined in section 520a of the Michigan penal code, 1931 PA 328, MCL 750.520a.

History: 2012, Act 159, Imd. Eff. June 12, 2012;—Am. 2016, Act 178, Eff. Sept. 12, 2016;—Am. 2024, Act 29, Eff. (sine die).