

IC 31-14-7

Chapter 7. Presumption of Paternity

IC 31-14-7-1

Presumptions; child's biological father

Sec. 1. A man is presumed to be a child's biological father if:

(1) the:

(A) man and the child's biological mother are or have been married to each other; and

(B) child is born during the marriage or not later than three hundred (300) days after the marriage is terminated by death, annulment, or dissolution;

(2) the:

(A) man and the child's biological mother attempted to marry each other by a marriage solemnized in apparent compliance with the law, even though the marriage:

(i) is void under IC 31-11-8-2, IC 31-11-8-3, IC 31-11-8-4, or IC 31-11-8-6; or

(ii) is voidable under IC 31-11-9; and

(B) child is born during the attempted marriage or not later than three hundred (300) days after the attempted marriage is terminated by death, annulment, or dissolution; or

(3) the man undergoes a genetic test that indicates with at least a ninety-nine percent (99%) probability that the man is the child's biological father.

As added by P.L.1-1997, SEC.6. Amended by P.L.138-2001, SEC.6.

IC 31-14-7-2

Rebuttable presumption; child's biological father

Sec. 2. (a) If there is not a presumed biological father under section 1 of this chapter, there is a rebuttable presumption that a man is the child's biological father if, with the consent of the child's mother, the man:

(1) receives the child into the man's home; and

(2) openly holds the child out as the man's biological child.

(b) The circumstances under this section do not establish the man's paternity. A man's paternity may only be established as described in IC 31-14-2-1.

As added by P.L.1-1997, SEC.6. Amended by P.L.138-2001, SEC.7; P.L.1-2009, SEC.156.

IC 31-14-7-3

Paternity affidavits

Sec. 3. A man is a child's legal father if the man executed a paternity affidavit in accordance with IC 16-37-2-2.1 and the paternity affidavit has not been rescinded or set aside under IC 16-37-2-2.1.

As added by P.L.138-2001, SEC.8.