

**HOUSE BILL NO. 1134**

Introduced by

Representatives Richter, Hatlestad, Longmuir

Senator Rust

1 A BILL for an Act to amend and reenact section 14-20-18 of the North Dakota Century Code,  
2 relating to challenging an acknowledgment or denial of paternity.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 14-20-18 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **14-20-18. (308) Challenge after expiration of period for rescission.**

7 1. After the period for rescission under section 14-20-17 has expired, a signatory of an  
8 acknowledgment of paternity or denial of paternity may commence a proceeding to  
9 challenge the acknowledgment or denial only:

10 a. On the basis of ~~fraud~~, duress, **or material mistake of fact**; ~~and~~

11 ~~b. Within~~ within two years after the acknowledgment or denial is filed with the state  
12 department of health; or

13 b. On the basis of fraud ~~or material mistake of fact~~ in accordance with subsection 6  
14 of section 28-01-16.

15 2. A party challenging an acknowledgment of paternity or denial of paternity has the  
16 burden of proof.