

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1521

Session of  
1977

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INTRODUCED BY MESSRS. WILLIAMS, RICHARDSON, IRVIS, WHITE,  
RHODES, BELOFF, BORSKI, BARBER, DUMAS, JONES, GIAMMARCO,  
MRS. SCANLON, MESSRS. OLIVER, REED, GRAY, BROWN, MRS. HARPER,  
MR. JOHNSON, MRS. KELLY, MESSRS. WAGNER, DONATUCCI, RAPPAPORT  
AND MILLER, JULY 25, 1977

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AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF  
REPRESENTATIVES, AS AMENDED, JUNE 5, 1978

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## AN ACT

1 Amending the act of May 14, 1857 (P.L.507, No.567), entitled "An  
2 act to Legitimate Children Born out of Lawful Wedlock,"  
3 providing that all children are legitimate.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Section 1, act of May 14, 1857 (P.L.507, No.567),  
7 entitled "An act to Legitimate Children Born out of Lawful  
8 Wedlock," amended June 17, 1971 (P.L.175, No.17), is amended to  
9 read:

10 Section 1. Be it enacted by the Senate and House of  
11 Representatives of the Commonwealth of Pennsylvania in General  
12 Assembly met, and it is hereby enacted by the authority of the  
13 same, That all children shall be legitimate irrespective of the  
14 marital status of their parents and in any and every case where  
15 [the father and mother of a child or] children are born out of  
16 wedlock [shall enter into the bonds of lawful wedlock and

1 cohabit, such child or children shall thereby become  
2 legitimated, and] they shall enjoy all the rights and privileges  
3 as if they had been born during the wedlock of [their] such  
4 parents: Provided, however, That for purposes of paternal <—  
5 inheritance of children born out of wedlock, the identity of the  
6 father be determined by, but not limited to, one of the  
7 following ways:

8 (1) the father may recognize his child by filing a  
9 certificate to such effect in the office of the Bureau of Vital  
10 Statistics; or

11 (2) the paternity may be determined by law during the  
12 lifetime of the reputed father provided the issue is presented  
13 to the court within two years of the birth of the child or  
14 within two years of the reputed father contributing to the  
15 support of the child; or

16 (3) in cases where the father and mother of a child born out  
17 of wedlock shall enter into the bonds of lawful wedlock and  
18 cohabit, such child or children shall thereby become  
19 legitimated; or

20 (4) if the reputed father and the child's mother were  
21 cohabiting at the time of the child's birth or within nine  
22 months before the birth of the child. PRESCRIBING BENEFITS TO <—  
23 CHILDREN BORN OUT OF WEDLOCK BY, FROM AND THROUGH THE FATHER  
24 SHALL BE DETERMINED ACCORDING TO 20 PA.C.S. § 2107 (RELATING TO  
25 PERSONS BORN OUT OF WEDLOCK).

26 Section 2. This act shall take effect immediately and shall  
27 apply to all children living on or born after the date of  
28 enactment if the child's father is living on that date or if he  
29 is born after the effective date of this act.