

1 AN ACT relating to name change of a minor.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 401.020 is amended to read as follows:

- 4 (1) Both parents, provided both are living, or one (1) parent if one (1) is deceased, or if
5 no parent is living, the guardian, may have the name of a child under the age of
6 eighteen (18) changed by the District Court, or if the Family Court or Circuit Court
7 has a case before it involving the family, the Family Court of a county with a
8 Family Court, or the Circuit Court of a county without a Family Court of the county
9 in which the child resides.
- 10 (2) If one (1) parent refuses or is unavailable to execute the petition for a name change,
11 proper notice of filing the petition shall be served in accordance with the Rules of
12 Civil Procedure. The court shall conduct a hearing on the petition no later than sixty
13 (60) days from the date of service and make findings of fact and conclusions of law
14 based on the best interests of the child. The court shall consider all relevant factors,
15 including:
- 16 (a) The wishes of the child's parent or parents;
- 17 (b) The wishes of the child as to the name change, with due consideration given
18 to the influence a parent may have over the child's wishes;
- 19 (c) The interaction and interrelationship of the child with his or her parent or
20 parents, his or her siblings, and any other person who may significantly affect
21 the child's best interests;
- 22 (d) The motivation of the adults participating in the proceeding; and
- 23 (e) The mental and physical health of all individuals involved.
- 24 (3) If the child resides on a United States Army post, military reservation, or fort, his or
25 her name may be changed by the District Court, or the Family Court of a county
26 with a Family Court, or the Circuit Court of a county without a Family Court of any
27 county adjacent thereto.

- 1 (4) For purposes of this section, "parent" means a person:
- 2 (a) Whose parental rights have not been terminated; and
- 3 (b) Who has established a legal relationship with the child through any of the
- 4 following:
- 5 1. Designation on the child's birth certificate as the mother or father;
- 6 2. A court order establishing paternity;
- 7 3. Execution of a voluntary acknowledgement of paternity form; or
- 8 4. A court order of adoption.