

SUMMARY SUPPORT AND PATERNITY ACT (EXCERPT)
Act 366 of 2014

***** 722.1496.new THIS NEW SECTION IS EFFECTIVE MARCH 17, 2015 *****

722.1496.new Genetic testing.

Sec. 6. (1) If a party requests genetic testing in a timely manner under section 5, the title IV-D agency shall notify the parties of the date, time, and place for the collection of the genetic sample for genetic testing of the mother, alleged father, and child. The date for taking the genetic samples for testing shall be not later than 60 days after the request for genetic testing.

(2) Genetic testing under this section shall be conducted by a person accredited for paternity determinations by a nationally recognized scientific organization and approved by the department.

(3) Within 28 days of receiving genetic test results, the title IV-D agency shall notify the parties and the court of the test results. The title IV-D agency shall submit a proposed order to the court. The court shall enter the order if the court is satisfied that the procedures established in this act have been followed. The proposed order shall do either of the following:

(a) If the genetic testing concludes a probability of paternity of 99% or higher, declare the alleged father as the child's father and may order the payment of support and the repayment of the cost of the genetic test to the state.

(b) If the genetic testing excludes the alleged father as the child's father, declare that the alleged father is not the child's father.

(4) If the nonfiling party requests genetic testing and the alleged father is not excluded as the child's father, the court may order the nonfiling party to repay the cost of the genetic test to the state in an order entered under this section.

(5) If the nonfiling party provides proof that the alleged father has been excluded as the child's father in a separate action under the laws of this state or another state, the proof submitted in support of the exclusion shall be filed with the court. The court shall provide notice and an opportunity for the parties to be heard and shall do either of the following:

(a) If the court finds that the alleged father has been excluded as the child's father under the laws of this state or another state, dismiss the action filed under this act.

(b) If the court finds that the alleged father has not been excluded as the child's father under the laws of this state or another state, order the parties and the child to have genetic testing as set forth in this act.

History: 2014, Act 366, Eff. Mar. 17, 2015.