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MEMORANDUM

TO: All Senators

FROM: Senator Tim Solobay 

DATE: June 20, 2011

SUBJECT: Co-Sponsorship Memo #31: Determination of Paternity

In the near future, I plan to reintroduce House Bill 1140 of the 2009-2010 legislative session. I originally introduced this bill during my time in the House of Representatives.

This legislation would amend §5104 of Title 23 (Domestic Relations) to include other manners to determine the paternity of a child. This measure would provide for a DNA test to be included in the approved methods of paternity tests. Title 23 presently only allows blood tests. Under this bill, DNA and/or blood tests may be used.

Additionally, this legislation includes further provisions for the “resumption of paternity of a child born during wedlock”. Requests for administration of a paternity test would need to be filed no later than five years after the child is born. The court could rule for a test to be conducted if it is in the best interest of the child and one of the parties has cause to believe that the test could rule the child’s paternity to be different than previously thought, or when both parties acquiesce to the test.

If you have any questions or would like to co-sponsor this legislation, please contact Rachel Moore at rmoore@pasenate.com or 7-1463.