



Senate Fiscal Agency
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House Bill 5583 (Substitute H-1 as reported without amendment)

Sponsor: Representative Marcia Hovey-Wright

House Committee: Families, Children, and Seniors

Senate Committee: Families, Seniors and Human Services

CONTENT

The bill would amend the Revocation of Paternity Act to establish a process for determining that a genetic father was not the father of a child. The bill would do the following:

- Allow the mother, the genetic father, an alleged father, or a prosecuting attorney to file an action for an order determining that a genetic father was not the father of a child.
- Require the action to be filed within three years after the child's birth or within one year after the date the genetic father was established as the father, whichever was later.
- Require the action to be supported by an affidavit stating facts that constituted one of the following: a) the genetic tests that established the man as the child's father were inaccurate; b) the man's genetic material was not available to the mother; or c) a man who had DNA identical to the genetic father was the child's father.
- Require the court, if it found the affidavit sufficient, to order blood or tissue typing or DNA identification profiling; and permit the court to require the person filing the action to pay the costs.
- Provide that the person who filed the action would have the burden of proving, by clear and convincing evidence, that the genetic father was not the father of the child.

The bill would define "genetic father" as a man whose paternity has been determined solely through genetic testing under the Paternity Act, the Summary Support and Paternity Act, or the Genetic Parentage Act.

The bill would take effect 90 days after it was enacted, and is tie-barred to House Bills 5463, 5464, and 5465 (which would amend the Paternity Act, enact the Summary Support and Paternity Act, and enact the Genetic Parentage Act, respectively).

MCL 722.1433 et al.

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 10-21-14

Fiscal Analyst: John Maxwell