

HOUSE BILL No. 2246

By Representative McCray-Miller

2-9

1 AN ACT concerning children; relating to paternity thereof.

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3 *Be it enacted by the Legislature of the State of Kansas:*

4 Section 1. (a) Every child born in the state of Kansas shall
5 submit to genetic tests to determine the paternity of such child. Prior to
6 leaving the hospital, the child, mother and alleged father shall submit to
7 genetic tests. If the birth does not occur in a hospital, within 10 days of
8 such child's birth, the child, mother and alleged father shall submit to
9 genetic tests. The tests shall be made by experts qualified as genetic
10 examiners.

11 (b) If any party refuses to submit to the tests, a court may
12 resolve the question of paternity against any party or enforce an order if
13 the rights of others and the interests of justice so require.

14 (c) The verified written report of the experts shall be
15 considered to be stipulated to by all parties unless written notice of intent
16 to challenge the validity of the report is given to all parties not more than
17 20 days after receipt of a copy of the report.

18 (d) If such notice is given, the experts shall be called by the
19 court as witnesses to testify as to their findings and shall be subject to
20 cross-examination by the parties. Any party may demand that other
21 experts, qualified as genetic examiners, perform independent tests under
22 order of the court, the results of which may be offered in evidence. The
23 number and qualification of the other experts shall be determined by the
24 court.

25 (e) If no challenge to such result is made, the genetic test
26 results shall be admissible as evidence of paternity in any civil action
27 without the need for foundation testimony or other proof of authenticity
28 or accuracy.

29 (f) As used in this section, "hospital" means the same as in
30 K.S.A. 65-425, and amendments thereto.

31 Sec. 2. This act shall take effect and be in force from and after its
32 publication in the statute book.

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