

# HOUSE . . . . . No. 1481

By Mr. Hall of Westford (by request), petition of Mark Cimini relative to genetic test results in proceedings relative to the support of minor children. The Judiciary.

## The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE SUPPORT OF MINOR CHILDREN.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 208 of the General Laws of the 2002 Official Edition is  
2 hereby amended by inserting after section 28A the following  
3 section:—

4 Section 28B. At any time after an order for support has been  
5 issued under the provisions of section 28 or 28A, for the payment of  
6 support by a father, said father may submit genetic test results from  
7 a genetic test administered no more than six months prior to said  
8 submission that finds that there is zero per cent probability that he is  
9 the father of the child he has been ordered to support. Upon such  
10 finding by the court, it shall revoke the order of support and cancel  
11 any arrearages that may exist.

12 The court shall make such order notwithstanding whether the  
13 person ordered to pay support was married to the mother, has  
14 admitted paternity or has been named as father of the child by volun-  
15 tary written promise, court order or birth certificate or was presumed  
16 or determined to be the natural father in an action under  
17 chapter 209C.

18 No person shall be granted relief under this section if said person  
19 has adopted the child, the child was conceived as a result of artificial  
20 insemination or the person knew the child was not his child before  
21 being presumed to be the father or otherwise admitting or acknowl-  
22 edging himself as the child's father.

23 The mother may submit a genetic test in rebuttal. Any person who  
24 seeks relief hereunder which is not granted shall pay court costs and  
25 the reasonable attorney's fees of the mother.