

# SENATE NO. 970

## AN ACT RELATIVE TO THE DETERMINATION OF PATERNITY

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

1 SECTION 1. Chapter 209C of the General Laws is hereby amended by adding the following  
2 new section:-  
3 Section 25. Notwithstanding the provisions of chapter 260 to the contrary, any action to  
4 establish paternity commenced prior to January 1, 1970 and determined against the plaintiff for  
5 reason of insufficient scientific evidence to prove paternity may be re-filed and any action to  
6 establish paternity which accrued prior to January 1, 1990 may be filed at any time during the  
7 lifetime of the parties to the action. This section shall apply regardless of whether such action  
8 or claim may have lapsed or otherwise be barred by time under the law of the commonwealth.  
9 In any such action filed, DNA evidence, so-called, shall be admissible against the defendant to  
10 aid the court in determination of paternity. Refusal to submit to DNA testing, so-called, shall  
11 establish a presumption of paternity.