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House Bill 5464 (Substitute H-1 as reported without amendment)
Sponsor: Representative Thomas B. Hooker
House Committee: Families, Children, and Seniors
Senate Committee: Families, Seniors and Human Services

CONTENT

The bill would enact the "Genetic Parentage Act" to do the following:

- Specify that a man would be considered the biological father of a child born out of wedlock if certain conditions were met.
- Provide that genetic testing that determined a man was the biological father of a child would establish paternity, and could be the basis the basis for court-ordered support or parenting time.
- Provide that the Act could not be used to determine paternity if the child's father had been established or had acknowledged paternity, or the child were subject to a pending adoption proceeding.
- Require the Department of Human Services (DHS) and the Department of Community Health (DCH) to create a genetic paternity determination form, which would be filed with the Office of the State Registrar.

Specifically, a man would be considered to be the biological father of a child born out of wedlock if all of the following were true:

- The alleged father and mother were receiving services from a Title IV-D agency.
- The mother, child, and alleged father submitted to blood or tissue typing determination, or DNA identification profiling, to determine whether the alleged father was likely to be the father.
- A blood or tissue typing, or DNA identification profiling, was conducted by a person accredited for paternity determinations by a nationally recognized scientific organization.
- The probability of paternity determined by the blood or tissue typing or DNA identification profiling was 99% or higher.
- The mother and alleged father signed a form created by the DHS agreeing to submit to the test.

The bill would take effect 90 days after its enactment, and is tie-barred to House Bills 5463, 5465, and 5583 (which would amend the Paternity Act, enact the "Summary Support and Paternity Act", and amend the Revocation of Paternity Act, respectively).

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would result in indeterminate costs to the State and would not have an impact on local units of government.

Pursuant to Federal laws and regulations, the DHS currently must attempt to establish paternity and secure support in IV-D cases on behalf of children born out-of-wedlock and establish paternity of children under the age of 18. The DHS has a contract with DNA Diagnostics Center, a genetic testing contractor, to provide laboratory services necessary to determine or exclude paternity for all 83 counties. The cost to test each individual is \$21.90. Some counties choose to use a third-party vendor. The costs to test individuals are, in some cases, paid by the individuals and in other cases by the State.

The bill would require the DHS to provide the results of the DNA testing to the Michigan Central Paternity Registry (CPR) in the Department of Community Health. The DHS does not anticipate any increased costs as a result of this requirement. The DCH could realize some additional costs to modify the CPR records system in order to document, maintain, and distribute records as needed.

Date Completed: 10-21-14

Fiscal Analyst: Steve Angelotti
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.