

GENETIC PARENTAGE ACT (EXCERPT)
Act 365 of 2014

722.1467 Consideration as biological father; conditions; additional genetic paternity testing.

Sec. 7.

(1) If a child is born out of wedlock, a man is considered to be the biological father of that child if all of the following are true:

(a) The alleged father or mother is receiving services from a title IV-D agency.

(b) The mother, child, and alleged father submitted to blood or tissue typing determinations that may include, but are not limited to, determinations of red cell antigens, red cell isoenzymes, human leukocyte antigens, serum proteins, or DNA identification profiling, to determine whether the alleged father is likely to be, or is not, the father of the child.

(c) A blood or tissue typing or DNA identification profiling was conducted by a person accredited for paternity determinations by a nationally recognized scientific organization, including, but not limited to, the American association of blood banks and approved by the department of human services.

(d) The probability of paternity determined by the qualified person described in subdivision (c) conducting the blood or tissue typing or DNA identification profiling is 99% or higher.

(e) The mother and alleged father sign a form created by the department of human services agreeing to submit to the test. The form created under this subdivision shall include, but not be limited to, the following information:

(i) A summary of how the tests will be conducted.

(ii) A summary of how the test results will establish or exclude the alleged father as the child's father.

(iii) That if genetic testing establishes paternity, the mother shall be granted initial custody of the child, without prejudice to the determination of either parent's custodial rights, until otherwise determined by the court or otherwise agreed upon by the parties in writing and acknowledged by the court.

(iv) That the parties consent to the general personal jurisdiction of the court of record of this state regarding the issues of the support, custody, and parenting time of the child.

(2) If the results of the analysis of genetic testing material from 2 or more persons indicate a probability of paternity greater than 99%, the accredited person described in subsection (1)(c) shall conduct additional genetic paternity testing until all but 1 of the alleged fathers is eliminated, unless the dispute involves 2 or more alleged fathers who have identical DNA.

History: 2014, Act 365, Eff. Mar. 17, 2015