

Offered: 2/22/89  
Referred: Rules

6-0231J

Original sponsors: Uehling, Pearce,  
and Sturgulewski

1 IN THE SENATE BY THE FINANCE COMMITTEE  
2 CS FOR SENATE BILL NO. 70 (Finance)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 SIXTEENTH LEGISLATURE - FIRST SESSION  
5 A BILL  
6 For an Act entitled: "An Act relating to certain testing in contested  
7 paternity actions; amending Rule 35, Alaska Rules of  
8 Civil Procedure; and providing for an effective  
9 date."  
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
11 \* Section 1. AS 25.20.050 is amended by adding new subsections to read:  
12 (e) On request of a party in a contested paternity action to  
13 which the state is a party, the court shall order the mother, the  
14 child, and the putative parent to submit to a blood test, tissue-type  
15 test, protein comparison, or other scientifically accepted procedure  
16 designed to determine the statistical probability that the putative  
17 parent is a legal parent of the child in question.  
18 (f) If the child support enforcement agency is a party in a  
19 contested paternity action, the agency shall request the court to  
20 order the tests and procedures described in (e) of this section. The  
21 agency may recover the costs of tests as a cost of the action, except  
22 that no costs shall be recovered from a person who is a recipient of  
23 aid under AS 47.25.310 - 47.25.420 (Aid to Families with Dependent  
24 Children).  
25 \* Sec. 2. AS 47.23.040(a) is amended to read:  
26 (a) The agency shall appear on behalf of minor children or their  
27 mother or legal custodian or the state and initiate efforts to have  
28 the paternity of children born out of wedlock determined by the court  
29 on voluntary application by the mother or other legal custodian. When

1 the agency is a party in a contested paternity action, it shall re-  
2 quest and pay for tests and procedures under AS 25.20.050(f). The  
3 agency may recover the costs of the tests as a cost of the action,  
4 except that no costs shall be recovered from a person who is a recipi-  
5 ent of aid under AS 47.25.310 - 47.25.420 (Aid to Families with Depen-  
6 dent Children).

7 \* Sec. 3. AS 25.20.050(e), enacted by sec. 1 of this Act, has the  
8 effect of amending Civil Rule 35 by requiring a court in a contested pater-  
9 nity action to which the state is a party to order certain genetic tests on  
10 the request of a party.

11 \* Sec. 4. This Act takes effect November 1, 1989.