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H.562

Representative Donahue of Northfield moves that the bill be amended in Sec. 1 by striking out 15C V.S.A. § 611 in its entirety and inserting in lieu thereof the following:

§ 611. GENETIC TESTING WHEN SPECIMENS NOT AVAILABLE

(a) If a genetic testing specimen is not available from an alleged genetic parent of a child, for good cause the court may order the following persons to submit specimens for genetic testing:

(1) the parents of the alleged genetic parent;

(2) a sibling of the alleged genetic parent;

(3) another child of the alleged genetic parent and the person who gave birth to that other child, unless testing would not be in the best interests of that child; and

(4) another relative of the alleged genetic parent necessary to complete genetic testing.

(b) Prior to issuing an order under subsection (a) of this section, the court shall provide notice and an opportunity to be heard to the person from whom a genetic sample is requested. If the court does order a person to be tested pursuant to subsection (a) of this section, it shall make a written finding that the need for genetic testing outweighs the constitutional rights and legitimate interests of the person from whom a genetic sample is requested.

1 (c) A genetic specimen taken pursuant to this section shall be destroyed and
2 any information related to it shall be expunged from court records when the
3 case is closed.
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