

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass
Vote:	8 - 0 - 2
Yeas:	Hicks, Olson, Schaufler, Tomei, Wand, Whisnant, Barker, Krieger
Nays:	0
Exc.:	Garrett, Nolan
Prepared By:	Cheyenne Ross, Counsel
Meeting Dates:	4/27, 5/18

WHAT THE MEASURE DOES: Limits applicability of Uniform Act on Blood Tests to Determine Paternity (the Act) in criminal matters, to criminal nonsupport cases only. Applies retroactively.

ISSUES DISCUSSED:

- Provisions of measure

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Provisions of the Uniform Act on Blood Tests to Determine Paternity (ORS 109.250 through 109.264) apply to proceedings where paternity is at issue, including the establishment of parental rights and responsibilities and the payment of child support. The Act refers to federal rules that name two specific accreditation bodies for laboratories that do paternity testing: the American Association of Blood Banks and the American Society for Histocompatibility and Immunogenetics. Because Oregon State Police forensic laboratories (OSP labs) are concerned with analysis of evidence in criminal cases that may also involve issues of paternity (such as rape or incest), they are accredited by the American Society of Crime Laboratory Directors in conformity with international standards. Strict application of the Act prohibits OSP labs from conducting paternity tests in criminal cases.

Senate Bill 64 comes from the Department of State Police to change the section of the Act that makes it applicable to criminal cases, to limit it to criminal nonsupport cases only, so that OSP labs may perform paternity testing in all other criminal cases.