

Enrolled
Senate Bill 64

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor John A. Kitzhaber for Oregon State Police)

CHAPTER

AN ACT

Relating to paternity blood tests in criminal cases; creating new provisions; and amending ORS 109.260.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 109.260 is amended to read:

109.260. ORS 109.250 to 109.262 [*shall*] apply to criminal cases **for nonsupport under ORS 163.555** subject to the following limitations and provisions:

(1) An order for the tests shall be made only upon application of a party or on the court's initiative.

(2) The compensation of the experts shall be paid by the county in which the proceedings are had under order of court.

(3) The court may direct a verdict of acquittal upon the conclusions of all the experts under the provisions of ORS 109.258, otherwise the case shall be submitted for determination upon all evidence.

SECTION 2. **The amendments to ORS 109.260 by section 1 of this 2011 Act apply to criminal cases pending before, on or after the effective date of this 2011 Act.**

Passed by Senate February 24, 2011

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 25, 2011

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Received by Governor:

.....M,....., 2011

Approved:

.....M,....., 2011

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2011

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Kate Brown, Secretary of State