

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 22, 2005
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB05-181 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 2, strike lines 2 through 15 and substitute
2 the following:

3 "SECTION 1. 14-10-107 (4) (b), Colorado Revised Statutes, is
4 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

5 **14-10-107. Commencement - pleadings - abolition of existing**
6 **defenses - automatic, temporary injunction - enforcement.**
7 (4) (b) (III) THE SUMMONS SHALL CONTAIN THE FOLLOWING
8 ADVISEMENTS:

9 (A) THAT A REQUEST FOR GENETIC TESTS SHALL NOT PREJUDICE
10 THE REQUESTING PARTY IN MATTERS CONCERNING ALLOCATION OF
11 PARENTAL RESPONSIBILITIES PURSUANT TO SECTION 14-10-124(1.5); AND

12 (B) THAT, IF GENETIC TESTS ARE NOT OBTAINED PRIOR TO A LEGAL
13 ESTABLISHMENT OF PATERNITY AND SUBMITTED INTO EVIDENCE PRIOR TO
14 THE ENTRY OF THE LEGAL FINAL DECREE OF DISSOLUTION, THE GENETIC
15 TESTS MAY NOT BE ALLOWED INTO EVIDENCE AT A LATER DATE.";

16 before line 16, insert the following:

17 "SECTION 2. 14-10-124, Colorado Revised Statutes, is amended
18 BY THE ADDITION OF A NEW SUBSECTION to read:

1 (3.5) A REQUEST BY EITHER PARTY FOR GENETIC TESTING SHALL
2 NOT PREJUDICE THE REQUESTING PARTY IN THE ALLOCATION OF PARENTAL
3 RESPONSIBILITIES PURSUANT TO SUBSECTION (1.5) OF THIS SECTION."

4 Renumber succeeding sections accordingly.

5 Page 3, line 19, strike "AFTER" and substitute "WHEN THERE IS A BASIS
6 FOR";

7 line 20, strike "IS acquired" and substitute "~~acquired~~".

8 Page 5, line 10, strike "AFTER" and substitute "WHEN THERE IS A BASIS
9 FOR";

10 line 11, strike "IS";

11 line 12, strike "acquired" and substitute "~~acquired~~".

12 Page 6, line 12, after "C.R.S.", add "NOTHING IN THIS SUBSECTION (3.5)
13 SHALL BE CONSTRUED TO AUTHORIZE A DELEGATE CHILD SUPPORT
14 ENFORCEMENT UNIT TO NEGOTIATE OR MEDIATE THE ALLOCATION OF
15 PARENTAL RESPONSIBILITIES IN ANY PROCEEDING INITIATED UNDER THIS
ARTICLE OR ARTICLE 13.5 OF TITLE 26, C.R.S."

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