

**ASSEMBLY AMENDMENT 1,  
TO 2005 SENATE BILL 123**

February 28, 2006 – Offered by Representative KESTELL.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 109, line 17: delete the material beginning with “court” and ending  
3 with “order” on line 18, as affected by senate amendment 1, and substitute “court  
4 may, or upon the request of any party shall, order”.

5 **2.** Page 114, line 6: delete the material beginning with that line and ending  
6 with page 115, line 1, and substitute:

7 **“SECTION 211c.** 767.48 (1) (a) of the statutes is renumbered 767.84 (1) (a) and  
8 amended to read:

9 767.84 **(1)** (a) The court may, and upon request of a party shall, require the  
10 child, mother, any male for whom there is probable cause to believe that he had  
11 sexual intercourse with the mother during a possible time of the child’s conception,  
12 or any male witness who testifies or will testify about his sexual relations with the  
13 mother at a possible time of conception to submit to genetic tests. Probable cause of

1 sexual intercourse during a possible time of conception may be established by a  
2 sufficient petition or affidavit of the child's mother or an alleged father, filed with the  
3 court, or after an examination under oath of a party or witness, when the court  
4 determines ~~such~~ that an examination is necessary. The court is not required to order  
5 a person who has undergone a genetic test under s. 49.225 to submit to another test  
6 under this paragraph unless a party requests additional tests under sub. (2).

7 **SECTION 212c.** 767.48 (1) (b) and (1m) to (7) of the statutes are renumbered”.

8 **3.** Page 135, line 22: delete the material beginning with that line and ending  
9 with page 136, line 4.

10 **4.** Page 149, line 21: after “767.457 (2),” delete the material inserted by senate  
11 amendment 1.

12 **5.** Page 149, line 23: delete “767.84 (1) (a) 2.,”.

13 **(END)**