

**2005 DRAFTING REQUEST**

**Assembly Amendment (AA-SB123)**

Received: 02/23/2006

Received By: pkahler

Wanted: Soon

Identical to LRB:

For: Legislative Council - IND 6-0292

By/Representing: Don Dyke

This file may be shown to any legislator: NO

Drafter: pkahler

May Contact:

Addl. Drafters:

Subject: Dom. Rel. - miscellaneous  
Dom. Rel. - paternity

Extra Copies:

Submit via email: YES

Requester's email: don.dyke@legis.state.wi.us

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Remove required genetic testing

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler 02/23/2006	jdye 02/28/2006		_____			
/1			pgreensl 02/28/2006	_____	lnorthro 02/28/2006	lnorthro 02/28/2006	

FE Sent For:

<END>

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/?	pkahler	1/27 jld	2/28 ps	2/28 jld			

FE Sent For:

<END>

2-23

Don Dyke

amdt to SB123 re not requiring  
ct to order genetic tests unless  
party requests

affects SEC 211 + 250

+ from a 1877/2, affected by  
items 16 + 20



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBa2466/

PJK:.....

*Jed*

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

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

*TODAY  
ROOM  
(in 2-23)*

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  
8  
9

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

*STET*

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

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

8 History: 1979 c. 352; 1983 a. 447; 1987 a. 27; 1993 a. 481; 1995 a. 100; 1997 a. 191

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

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

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

13 **5.** Page 149, line 23: delete "767.84 (1) (a) 2.,".

14 (END)