

Article 16 - Chancery
Section 66G
Annotated Code of Maryland
(1981 Replacement Volume and 1981 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland read(s) as follows:

Article 16 - Chancery

66G.

The court, upon motion of ~~the defendant alleged to be the putative father~~ A PARTY TO THE PROCEEDINGS or upon its own motion, shall order the mother, child, and defendant ALLEGED FATHER to submit to [the] blood tests [deemed] necessary to determine whether or not the defendant ALLEGED FATHER can be excluded as being the father of the child. The test results may be received in evidence [only] in cases where definite exclusion is established, AND IN CASES IN WHICH THERE IS SOME PROBABILITY OF INCLUSION EXCLUSION IS NOT ESTABLISHED, IF TESTING WAS SUFFICIENTLY EXTENSIVE TO EXCLUDE 95 97.3 PERCENT OF PUTATIVE FATHERS WHO ARE NOT BIOLOGICAL FATHERS, AND THE STATISTICAL PROBABILITY OF THE ALLEGED FATHER'S PATERNITY IS AT LEAST 95 97.3 PERCENT. The tests shall be made in laboratories located in this State, selected by the court from a list provided by the bureau of support enforcement of the Social Services Administration AND THE TESTING SHALL BE OF SUFFICIENT EXTENT TO EXCLUDE 95 PERCENT OF THOSE PUTATIVE FATHERS WHO ARE NOT BIOLOGICAL FATHERS. Reports of such tests shall be made by such laboratories in writing and in the form required by the court. Copies of the reports shall be furnished to the petitioner or complainant and to the defendant ALLEGED FATHER or their counsel. The reports, when admissible in evidence [as aforesaid], shall be accepted as prima facie evidence of the results of such tests. UNLESS INDIGENT, THE PARTY REQUESTING THE BLOOD TESTS SHALL BE RESPONSIBLE FOR THEIR COSTS; HOWEVER, IF THE REQUESTING PARTY PREVAILS IN THE ACTION, THE COURT SHALL ASSESS SUCH COSTS AGAINST THE OTHER PARTY OR PARTIES IN THE ACTION. ~~The tests~~ IF A PARTY IS INDIGENT, THE TESTS shall be paid for by the county or city where the proceedings are pending, unless the court orders one or more of the parties to the proceedings to pay for [the same or any part thereof] ALL OR PART OF THE COSTS. When the tests are admitted in evidence, the laboratory technicians who made them are subject to cross-examination by all parties to the proceedings. If any person fails to submit to the blood tests ordered by the court, such facts, when properly adduced by evidence, shall be disclosed to the court and jury and may be commented upon by the court or by counsel to the jury or to the court when the case is tried without a jury.