

VETOES

Annotated Code of Maryland
(1984 Volume and 1986 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Family Law

5-1029.

(a) On the motion of a party to the proceeding or on its own motion, the court shall order the mother, child, and alleged father to submit to blood tests to determine whether the alleged father can be excluded as being the father of the child.

(b) The blood tests shall be made in a laboratory selected by the court from a list of laboratories provided by the Administration.

(c) The laboratory shall report the results of each blood test in writing and in the form the court requires.

(d) A copy of the results of each blood test shall be provided to the parties or their counsel in the manner that the court directs.

(e) (1) The results of each blood test shall be received in evidence if:

(i) definite exclusion is established; or

(ii) the testing is sufficiently extensive to exclude 97.3% of alleged fathers who are not biological fathers, and the statistical probability of the alleged father's paternity is at least 97.3%.

(2) A laboratory report is prima facie evidence of the results of a blood test.

(3) If a laboratory report is admitted in evidence, the laboratory technician who made the test is subject to cross-examination by any party to the proceeding.

(F) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPH (2) OF THIS SUBSECTION, A COPY OF A LABORATORY REPORT OF THE RESULTS OF A BLOOD TEST SIGNED BY THE TECHNICIAN OR ANALYST WHO PERFORMED THE BLOOD TEST, IS ADMISSIBLE AS SUBSTANTIVE EVIDENCE WITHOUT THE PRESENCE OR TESTIMONY OF THE TECHNICIAN OR ANALYST WHO PERFORMED THE BLOOD TEST.

(2) TO BE ADMISSIBLE UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE LABORATORY REPORT MUST: