

to cross-examination by any party to the proceeding if the party who desires cross-examination has subpoenaed the doctor or technician at least 10 days before trial.

(4) A laboratory report received into evidence establishing a statistical probability of the alleged father's paternity of at least 99.0% constitutes a rebuttable presumption of his paternity.

[(f)] (G) If any individual fails to submit to a blood or genetic test ordered by the court, that refusal, properly introduced in evidence:

- (1) shall be disclosed to the court [and jury]; and
- (2) may be commented on [by the court or] by counsel.

[(g)] (H) (1) Unless indigent, the party who requests a blood or genetic test or who secures the appearance in court of a doctor or technician from the laboratory that prepared the report of the blood or genetic test is responsible for the cost of the test and the costs associated with the court appearance. However, if the requesting party prevails in the proceeding, the court shall assess the cost of the blood or genetic test or the costs associated with the court appearance against the other parties to the proceeding.

(2) If any party chargeable with the cost of the blood or genetic test or the costs associated with court appearance is indigent, the cost of the blood or genetic test or the costs associated with the court appearance shall be borne by the county where the proceeding is pending, except to the extent that the court orders any other party to the proceeding to pay all or part of the cost.

(3) SUBJECT TO THE RIGHT OF ANY PARTY TO SUBPOENA A CUSTODIAN OF RECORDS AT LEAST 10 DAYS BEFORE TRIAL, A WRITTEN STATEMENT FROM THE LABORATORY THAT PREPARED THE REPORT OF THE BLOOD OR GENETIC TEST CONCERNING THE COST OF THE TEST AND THE COST ASSOCIATED WITH THE COURT APPEARANCE SHALL BE ADMISSIBLE IN EVIDENCE WITHOUT THE PRESENCE OF A CUSTODIAN OF RECORDS AND SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE COSTS.

(I) UPON MOTION OF THE ADMINISTRATION OR ANY PARTY TO THE PROCEEDING AND DUE CONSIDERATION BY THE COURT, THE COURT SHALL PASS A TEMPORARY ORDER FOR THE SUPPORT OF THE CHILD IF:

(1) A LABORATORY REPORT ESTABLISHES A STATISTICAL PROBABILITY OF PATERNITY OF AT LEAST 99.0%; AND

(2) THE COURT DETERMINES THAT THE PUTATIVE FATHER HAS THE ABILITY TO PROVIDE TEMPORARY SUPPORT FOR THE CHILD.

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(a) If the court [or jury, as appropriate,] finds that the alleged father is the father, the court shall pass an order that:

- (1) declares the alleged father to be the father of the child; and
- (2) provides for the support of the child.