

2000 SESSION

INTRODUCED

001359684

HOUSE BILL NO. 506

Offered January 18, 2000

A BILL to amend and reenact § 20-49.4 of the Code of Virginia, relating to evidence relating to parentage.

Patron—Cranwell

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 20-49.4 of the Code of Virginia is amended and reenacted as follows:

§ 20-49.4. Evidence relating to parentage.

The standard of proof in any action to establish parentage shall be by clear and convincing evidence. All relevant evidence on the issue of paternity shall be admissible. Such evidence may include, but shall not be limited to, the following:

1. Evidence of open cohabitation or sexual intercourse between the known parent and the alleged parent at the probable time of conception;

2. Medical or anthropological evidence relating to the alleged parentage of the child based on tests performed by experts. If a person has *admitted in accordance with subdivision 7 hereof* or been identified by the mother as the putative father of the child, the court may, and upon request of a party shall, require the child, the known parent, and the alleged parent to submit to appropriate tests;

3. The results of scientifically reliable genetic tests, including blood tests, if available, weighted with all the evidence;

4. Evidence of the alleged parent consenting to or acknowledging, by a general course of conduct, the common use of such parent's surname by the child;

5. Evidence of the alleged parent claiming the child as his child on any statement, tax return or other document filed by him with any state, local or federal government or any agency thereof;

6. A true copy of an acknowledgment pursuant to § 20-49.5; and

7. An admission by a male between the ages of fourteen and eighteen pursuant to § 20-49.6.

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