

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Chapter 3.1 of Title 20 a section numbered*  
3 *20-49.10, relating to relief from determination of paternity.*

4 [H 2376]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding in Chapter 3.1 of Title 20 a section numbered**  
8 **20-49.10 as follows:**

9 *§ 20-49.10. Relief from legal determination of paternity.*

10 *An individual may file a petition for relief and, except as provided herein, the court may set aside a*  
11 *final judgment, court order, administrative order, obligation to pay child support or any legal*  
12 *determination of paternity if a scientifically reliable genetic test performed in accordance with this*  
13 *chapter establishes the exclusion of the individual named as a father in the legal determination. The*  
14 *petitioner shall pay the costs of such test. A court that sets aside a determination of paternity in*  
15 *accordance with this section shall order completion of a new birth record and may order any other*  
16 *appropriate relief, including setting aside an obligation to pay child support. No support order may be*  
17 *retroactively modified, but may be modified with respect to any period during which there is a pending*  
18 *petition for relief from a determination of paternity, but only from the date that notice of the petition*  
19 *was served on the nonfiling party.*

20 *A court shall not grant relief from determination of paternity if the individual named as father (i)*  
21 *acknowledged paternity knowing he was not the father, (ii) adopted the child, or (iii) knew that the child*  
22 *was conceived through artificial insemination.*

ENROLLED

HB2376ER