

AMENDMENTS TO LB93

Introduced by Judiciary.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Section 43-1411, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 43-1411 (1) A civil proceeding to establish the paternity of a
6 child may be instituted, in the court of the district where the child is
7 domiciled or found or, for cases under the Uniform Interstate Family
8 Support Act, where the alleged father is domiciled, by (a) ~~(1)~~ the mother
9 or the alleged father of such child, either during pregnancy or within
10 four years after the child's birth, unless (i) ~~(a)~~ a valid consent or
11 relinquishment has been made pursuant to sections 43-104.08 to 43-104.25
12 or section 43-105 for purposes of adoption or (ii) ~~(b)~~ a county court or
13 separate juvenile court has jurisdiction over the custody of the child or
14 jurisdiction over an adoption matter with respect to such child pursuant
15 to sections 43-101 to 43-116 or (b) ~~(2)~~ the guardian or next friend of
16 such child or the state, either during pregnancy or within eighteen years
17 after the child's birth. Summons shall issue and be served as in other
18 civil proceedings, except that such summons may be directed to the
19 sheriff of any county in the state and may be served in any county.

20 (2) Notwithstanding any other provision of law, a person claiming to
21 be the biological father of a child over which the juvenile court already
22 has jurisdiction may file a complaint to intervene in such juvenile
23 proceeding to institute an action to establish the paternity of the
24 child. The complaint to intervene shall be accompanied by an affidavit
25 under oath that the affiant believes he is the biological father of the
26 juvenile. No filing fee shall be charged for filing the complaint and
27 affidavit. Upon filing of the complaint and affidavit, the juvenile court

1 shall enter an order pursuant to section 43-1414 to require genetic
2 testing and to require the juvenile to be made available for genetic
3 testing. The costs of genetic testing shall be paid by the intervenor,
4 the county, or the state at the discretion of the juvenile court.

5 Sec. 2. Original section 43-1411, Reissue Revised Statutes of
6 Nebraska, is repealed.