

ACT No. 266

2020 Regular Session

HOUSE BILL NO. 410

BY REPRESENTATIVES LACOMBE, THOMPSON, ADAMS, BRYANT, WILFORD
CARTER, CORMIER, COX, DUPLESSIS, FREEMAN, GREEN, JEFFERSON,
JENKINS, MIKE JOHNSON, MARCELLE, MOORE, NEWELL, PIERRE, AND
WHITE

1 AN ACT

2 To amend and reenact R.S. 9:408 and to enact R.S. 9:402.1, relative to the presumption of
3 paternity; to provide for the child support obligation owed by a presumed father who
4 executes a three-party acknowledgment; to provide for the proper parties in a
5 filiation or paternity proceeding; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 9:408 is hereby amended and reenacted and R.S. 9:402.1 is hereby
8 enacted to read as follows:

9 §402.1. Effect of three-party acknowledgment; alternative to disavowal; child
10 support order

11 The execution of a three-party acknowledgment pursuant to Civil Code
12 Article 190.1 terminates the obligation to pay child support by the husband or former
13 husband and revokes any court order enforcing that obligation. However, it does not
14 affect any child support payment or arrearages paid, due, or owing prior to the date
15 the three-party acknowledgment was executed.

16 §408. Filiation and paternity proceeding; parties

17 The child's mother, ~~the husband of the mother~~ any man who would be
18 presumed to be the father under Civil Code Article 185, and the biological father, if
19 known, shall be joined in a filiation or paternity proceeding, except that joinder is not

1 required of a person whose parental rights have been terminated, or who is deceased,
2 or whose joinder is determined otherwise not to be feasible.

3 Section 2. The Louisiana State Law Institute is hereby directed to prepare official
4 comments to the provisions of this Act no later than October 1, 2020 and thereafter to update
5 and revise such comments as necessary.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____