

FOR OFFICE USE ONLY	

HOUSE FLOOR AMENDMENTS

2019 Regular Session

Amendments proposed by Representative Jackson to Reengrossed Senate Bill No. 172 by Senator Colomb

1 AMENDMENT NO. 1

2 Delete the set of Amendment by the House Committee on Civil Law and Procedure (#3312)

3 AMENDMENT NO. 2

4 On page 1, delete lines 2 through 17 in their entirety and delete pages 2 and 3 in their
5 entirety and insert the following:

6 To amend and reenact Civil Code Arts. 87, 369, and 2318 and Children's Code Arts.
7 502(2) and 1113(A), and to repeal Civil Code Arts. 367 and 2333, Children's
8 Code Arts. 1543 through 1550, and R.S. 9:225(A)(2), relative to marriage;
9 to provide a minimum age for marriage; to provide definitions; to repeal
10 certain provisions relative to emancipation by marriage; and to provide for
11 related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. Civil Code Arts. 87, 369, and 2318 are hereby amended and reenacted to
14 read as follows:

15 Art. 87. Contract of marriage; requirements

16 The requirements for the contract of marriage are:

17 The absence of legal impediment.

18 A marriage ceremony.

19 The free consent of the parties to take each other as ~~husband and wife~~ spouse,
20 expressed at the ceremony.

21 Both parties are at least eighteen years of age.

22 * * *

23 Art. 369. Emancipation; when effective

24 Judicial emancipation is effective when the judgment is signed. ~~Emancipation~~
25 ~~by marriage is effective upon marriage.~~ Limited emancipation by authentic act is
26 effective when the act is executed.

27 * * *

28 Art. 2318. Acts of a minor

29 The father and the mother are responsible for the damage occasioned by their
30 minor child, who resides with them or who has been placed by them under the care
31 of other persons, reserving to them recourse against those persons. However, the
32 father and mother are not responsible for the damage occasioned by their minor child
33 who has been emancipated ~~by marriage~~, by judgment of full emancipation, or by
34 judgment of limited emancipation that expressly relieves the parents of liability for
35 damages occasioned by their minor child.

36 The same responsibility attaches to the tutors of minors.

37 * * *

38 Section 2. Children's Code Arts. 502(2) and 1113(A) are hereby amended and
39 reenacted to read as follows:

40 Art. 502. Definitions

41 * * *

42 (2) "Child" means a person under the age of eighteen years who has not been
43 judicially emancipated ~~or emancipated by marriage~~ as provided by law.

* * *

1
2
3
4
5
6
7
8
9
10
11
12
13

Art. 1113. Minor parents

A. Except as otherwise provided herein, if a parent executing a surrender in a private adoption is a minor, the parents or tutor of the minor must join in the surrender unless the minor parent has been judicially emancipated under Civil Code Article 385 or ~~emancipated by marriage under Civil Code Articles 379 through 384.~~

* * *

Section 3. This Act shall become effective on August 1, 2019; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on August 1, 2019, or on the day following such approval by the legislature, whichever is later.

Section 4. Civil Code Arts. 367 and 2333 are hereby repealed.

Section 5. Children's Code Arts. 1543 through 1550 are hereby repealed.

Section 6. R.S. 9:225(A)(2) is hereby repealed."

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.