

2026 Regular Session

HOUSE BILL NO. 112

BY REPRESENTATIVE BAYHAM

CHILDREN/CUSTODY: Specifies how miles are measured for the relocation of a child

1 AN ACT

2 To amend and reenact R.S. 9:355.2, relative to the relocation of a child; to specify how miles
3 are measured for relocation of a child; to provide for technical changes; to provide
4 for applicability; to provide for an effective date; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:355.2 is hereby amended and reenacted to read as follows:

7 §355.2. Applicability

8 ~~A. This Subpart shall apply to an order regarding custody of or visitation~~
9 ~~with a child issued:~~

10 ~~(1) On or after August 15, 1997.~~

11 ~~(2) Before August 15, 1997, if the existing custody order does not expressly~~
12 ~~govern the relocation of the child.~~

13 B. A. This Subpart ~~shall apply~~ applies to a proposed relocation when any of
14 the following exist:

15 (1) There is intent to establish the principal residence of a child at any
16 location outside ~~the~~ this state.

17 (2) There is no court order awarding custody and there is an intent to
18 establish the principal residence of a child at any location within ~~the~~ this state that
19 is at a distance of more than seventy-five miles from the domicile of the other parent.

1 (3) There is a court order awarding custody and there is an intent to establish
2 the principal residence of a child at any location within ~~the~~ this state that is at a
3 distance of more than seventy-five miles from the principal residence of the child at
4 the time that the most recent custody decree was rendered.

5 (4) If either no principal residence of a child has been designated by the
6 court or the parties have equal physical custody, and there is an intent to establish the
7 principal residence of a child at any location within ~~the~~ this state that is at a distance
8 of more than seventy-five miles from the domicile of a person entitled to object to
9 relocation.

10 ~~E.~~ B. To the extent that this Subpart conflicts with an existing custody order,
11 this Subpart shall not apply to the terms of that order that govern relocation.

12 ~~D.~~ C. This Subpart shall not apply when either of the following
13 circumstances exist:

14 (1) The persons required to give notice of and the persons entitled to object
15 to a proposed relocation have entered into an express written agreement for the
16 relocation of the principal residence of the child.

17 (2) There is in effect an order issued pursuant to ~~Domestic Abuse Assistance,~~
18 ~~R.S. 46:2131, et seq., Protection from Dating Violence, R.S. 46:2151, Part II of~~
19 ~~Chapter 28 of Title 46 or the Post-Separation Family Violence Relief Act or~~
20 ~~Injunctions and Incidental Orders, Parts IV and V of Chapter 1 of Code Title V of~~
21 ~~Code Book I of Title 9, except R.S. 9:372.1, all of the Louisiana Revised Statutes of~~
22 ~~1950, Domestic Abuse Assistance, Chapter 8 of Title XV of the Children's Code, or~~
23 ~~any other restraining order, preliminary injunction, permanent injunction, or any~~
24 ~~protective order prohibiting a person from harming or going near or in the proximity~~
25 ~~of the other person.~~ any of the following:

26 (a) Part II of Chapter 28 of Title 46 of the Louisiana Revised Statutes of
27 1950.

28 (b) Chapter 28-A of Title 46 of the Louisiana Revised Statutes of 1950.

1 (c) Parts IV and V of Subpart H of Part III of Code Title V of Book I of Title
2 9 of the Louisiana Revised Statutes of 1950, except R.S. 9:372.1.

3 (d) Chapter 8 of Title XV of the Children's Code.

4 (e) Any other protective order prohibiting a person from harming or going
5 near or in the proximity of the other person.

6 D. For purposes of this Subpart, miles shall be measured by the shortest
7 distance on navigable roads from the principal residence of a child to the new
8 intended principal residence.

9 Section 2. The provisions of this Act shall become effective on January 1, 2027.

10 Section 3. This Act shall not apply to any litigation pending on the effective date of
11 this Act regarding the relocation of the principal residence of a child, but shall apply to any
12 subsequent relocation after final disposition of that litigation.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 112 Original

2026 Regular Session

Bayham

Abstract: Specifies how miles are measured for the purpose of relocation of a child.

Present law (R.S. 9:355.4) provides that a person proposing relocation of a child's principal residence in state of La. that is a distance of more than 75 miles from the principal residence shall notify any other person awarded custody or visitation under a court decree.

Proposed law retains present law and specifies that miles shall be measured by the shortest distance on navigable roads from the principal residence of a child to the new intended principal residence.

Present law (R.S. 9:355.2(A)) provides an effective date (Aug. 15, 1997) which was superceded by Section 4 of Act 2012, No. 627 (Aug. 1, 2012).

Proposed law changes present law and provides an effective date of Jan. 1, 2027, for any litigation not pending on the effective date of proposed law.

Proposed law makes technical changes.

(Amends R.S. 9:355.2)