

2026 Regular Session

HOUSE BILL NO. 154

BY REPRESENTATIVE MCMAKIN

(On Recommendation of the Louisiana State Law Institute)

CHILDREN/SUPPORT: Provides relative to paternity and the collection of child support

1 AN ACT

2 To amend and reenact R.S. 9:315.1(C)(8) and to enact R.S. 9:315.1(C)(9) and 405.1 through
3 405.3, relative to acknowledgment of paternity and collection of child support; to
4 provide for deviation from the child support guidelines; to provide for
5 acknowledgment of paternity for minors; to provide with respect to judicial
6 authorization of acknowledgment of paternity for minors; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 9:315.1(C)(8) is hereby amended and reenacted and R.S.
10 9:315.1(C)(9) and 405.1 through 405.3 are hereby enacted to read as follows:
11 §315.1. Rebuttable presumption; deviation from guidelines by court; stipulations by
12 parties

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17 (8) The status of a parent as an unemancipated minor with limited
18 contractual, procedural, and earning capacity; the availability of familial or other
19 sources of support to the minor parent; and the desirability of continuing the minor
20 parent's education.

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§405.1. Minors; acknowledgment of paternity

An unemancipated minor who is under sixteen years of age may not enter into an acknowledgment of paternity. An unemancipated minor who is sixteen or seventeen years of age may not enter into an acknowledgment of paternity without judicial authorization.

Revision Comments - 2026

(a) The rights of emancipated minors are governed by Chapter 2 of Title VIII of Book I of the Civil Code and depend upon the type of emancipation.

(b) Unemancipated minors lack the procedural capacity to sue and be sued. Accordingly, the provisions of Civil Code Article 222 and Code of Civil Procedure Article 683 apply in this context and provide for representation by an unemancipated minor's married parents or tutor in a proceeding to acquire judicial authorization.

(c) This provision mirrors Civil Code Articles 90.1 and 2333, which provide that minors under sixteen years of age are not permitted to marry or enter into matrimonial agreements and that sixteen- and seventeen-year-old minors may enter into those contracts under limited circumstances.

§405.2. Minors; judicial authorization of acknowledgment of paternity; venue

A request for judicial authorization pursuant to R.S. 9:405.1 may be submitted to a court of competent jurisdiction in the parish in which the minor parent executing the acknowledgment is domiciled or in the parish in which the child to be acknowledged is domiciled.

§405.3. Minors; application for judicial authorization of acknowledgment of paternity; procedure

A. Upon request by an unemancipated minor who is sixteen or seventeen years of age, the court may authorize the acknowledgment of paternity ex parte after considering the best interest of the minor parent executing the acknowledgment and the best interest of the child to be acknowledged.

B. The court may, in its discretion, require that the minor parent executing the acknowledgment be present to evaluate whether the minor parent understands the nature and consequences of an acknowledgment of paternity, whether the minor

1 parent understands his right to seek blood and tissue tests for determination of
2 paternity before executing the acknowledgment, and whether the minor parent has
3 discussed the acknowledgment with his parents or tutor.

4 Revision Comments - 2026

If the court denies the request, the minor parent may file a petition for judicial emancipation. See Civil Code Article 366.

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 154 Original

2026 Regular Session

McMakin

Abstract: Provides for guidance with respect to deviations from the child support guidelines and the establishment of paternity for minor parents.

Present law (R.S. 9:315.1(C)(8)) provides for deviations from the child support guidelines.

Proposed law retains present law and adds that the court may consider additional factors including the status of a parent as an unemancipated minor, the availability of other sources of support, and the desirability of continuing the minor parent's education.

Proposed law (R.S. 9:315.1(C)(9)) provides for considerations by the court in determining whether to deviate from the child support guidelines.

Proposed law (R.S. 9:405.1) provides that unemancipated minors who are under the age of 16 may not execute an acknowledgment of paternity, but unemancipated minors who are 16 or 17 years of age may, with judicial authorization, execute an acknowledgment of paternity.

Proposed law (R.S. 9:405.2) provides that minor parents may submit a request for judicial authorization in either the parish in which they are domiciled or in the parish in which the child to be acknowledged is domiciled.

Proposed law (R.S. 9:405.3) provides that the court may authorize the execution of an acknowledgment ex parte after a consideration of the best interest of the minor parent and the child to be acknowledged.

Proposed law further provides that the court may require the presence of the minor parent to evaluate whether the minor parent understands the nature and effects of the acknowledgment of paternity, has been informed of his right to seek blood and tissue tests, and has discussed the matter with his parents or tutor.

(Amends R.S. 9:315.1(C)(8); Adds R.S. 9:315.1(C)(9) and 405.1-405.3)