

2026 Regular Session

HOUSE BILL NO. 1239 (Substitute for House Bill No. 473 by Representative Green)

BY REPRESENTATIVE GREEN

CHILDREN/CUSTODY: Provides relative to child custody

1 AN ACT

2 To amend and reenact R.S. 9:335(A)(2)(b), relative to child custody; to provide relative to
3 the best interest of a child; to provide relative to equal custody; and to provide for
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:335(A)(2)(b) is hereby amended and reenacted to read as follows:

7 §335. Joint custody decree and implementation order; custody during an emergency
8 or disaster

9 A.

10 * * *

11 (2)

12 * * *

13 (b) Unless the court determines ~~To the extent~~ it is not feasible ~~and~~ or in the
14 best interest of the child, physical custody of the ~~children should~~ child shall be
15 shared equally.

16 * * *

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 1239 Original

2026 Regular Session

Green

Abstract: Requires equal sharing of physical custody unless certain circumstances apply.

Present law (R.S. 9:335(A)(2)(b)) provides that to the extent it is feasible and in the best interest of the child, physical custody of the child should be shared equally.

Proposed law changes present law and requires physical custody of a child to be shared equally unless the court determines it is not feasible or in the best interest of the child.

(Amends R.S. 9:335(A)(2)(b))