

2026 Regular Session

HOUSE BILL NO. 112

BY REPRESENTATIVES BAYHAM, ADAMS, AMEDEE, BAGLEY, BILLINGS,
CHASSION, CREWS, FISHER, GREEN, JACKSON, TERRY LANDRY,
LARVADAIN, MENA, MILLER, MURRAY, NEWELL, SPELL, TAYLOR, AND
WALTERS

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.~~ 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.

20 (3) There is a court order awarding custody and there is an intent to establish
21 the principal residence of a child at any location within ~~the~~ this state that is at a

1 distance of more than seventy-five miles from the principal residence of the child at
 2 the time that the most recent custody decree was rendered.

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

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

10 ~~Ð. C.~~ This Subpart shall not apply when either of the following
 11 circumstances exist:

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

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

24 (a) Part II of Chapter 28 of Title 46 of the Louisiana Revised Statutes of
 25 1950.

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

27 (c) Parts IV and V of Subpart H of Part III of Code Title V of Book I of Title
 28 9 of the Louisiana Revised Statutes of 1950, except R.S. 9:372.1.

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

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

3 D. For purposes of this Subpart, miles shall be measured by the shortest
4 distance that is publicly accessible by motor vehicle or by a public ferry, where
5 applicable, from the principal residence of a child to the new intended principal
6 residence.

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

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____