

2016 Regular Session

HOUSE BILL NO. 325

BY REPRESENTATIVE ROBERT JOHNSON

VITAL STATS/PATERNITY: Repeals the provision in the Vital Records Law regarding allegations of paternity for child support purposes

- 1 AN ACT
- 2 To repeal R.S. 40:34(E), relative to paternity; to repeal provisions in the Vital Records Law
- 3 regarding allegations of paternity for child support purposes.
- 4 Be it enacted by the Legislature of Louisiana:
- 5 Section 1. R.S. 40:34(E) is hereby repealed in its entirety.

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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)]

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HB 325 Engrossed

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**Abstract:** Repeals the provision in the Vital Records Law regarding allegations of paternity for child support purposes.

Present law establishes a procedure for a mother to allege the paternity of a child born outside of marriage for child support purposes. If the father is known to the mother, present law requires her to complete and sign a paternity information form issued by the Vital Records Registry. Present law further requires the Dept. of Children and Family Services (DCFS) to serve notice on the alleged father of the child, who then has 90 days to contest the allegation that he is the father.

Proposed law requires the alleged father to contest the allegation of paternity by advising DCFS in writing that he is not the father. If the alleged father fails to contest the allegation in writing within 90 days, present law provides that he shall be presumed to be the father of the child, for support purposes only, and the agency or the custodial parent can use this presumption in an action to seek a support order.

Proposed law repeals present law.

(Repeals R.S. 40:34(E))