

ACT No. 495

2016 Regular Session

HOUSE BILL NO. 150

BY REPRESENTATIVE TALBOT

1 AN ACT

2 To amend and reenact R.S. 9:133 and to enact Civil Code Article 1493.1, relative to forced
3 heirship; to provide relative to children conceived through gamete donation; to
4 provide relative to inheritance rights; to provide for exceptions; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Civil Code Article 1493.1 is hereby enacted to read as follows:

8 Art. 1493.1. Children conceived through donation of gametes

9 Any child conceived from the use of gametes donated by an individual shall
10 not be deemed a forced heir of that individual, unless the individual would be an
11 ascendant of first or second degree notwithstanding the donation of genetic material
12 through an in vitro fertilization process.

13 Section 2. R.S. 9:133 is hereby amended and reenacted to read as follows:

14 §133. Inheritance rights

15 Inheritance rights will not flow to the in vitro fertilized ovum as a juridical
16 person, unless the in vitro fertilized ovum develops into an unborn child that is born
17 in a live birth, or at any other time when rights attach to an unborn child in
18 accordance with law. As a juridical person, the embryo or child born as a result of
19 in vitro fertilization and in vitro fertilized ovum donation to another couple does not

1 retain its inheritance rights from the in vitro fertilization patients or a donor of
2 gametes used in the in vitro fertilization process, unless the donor is a person from
3 whom the child could otherwise inherit under laws of succession notwithstanding the
4 in vitro fertilization process.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____