
DIGEST

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HB 559 Engrossed

2018 Regular Session

James

Abstract: Creates an exception for acknowledgment of paternity in cases involving assisted reproductive technology.

Present law allows for an acknowledgment of paternity to be voided under certain circumstances, including clear and convincing evidence that the alleged father who executed the authentic act is not the biological father.

Proposed law provides that in cases of assisted reproductive technology when the alleged father is not the presumed father, an acknowledgment of paternity can be voided only upon clear and convincing evidence that the act was induced by fraud, duress, material mistake of fact, or error.

Provides that the proposed law exception applies to authentic acts of acknowledgment executed on or after Aug. 1, 2016.

(Amends R.S. 9:392(A)(7)(b))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Change the phrase "assisted conception" to "assisted reproductive technology"
2. Add restriction that the proposed law exception shall apply to cases when the alleged father is not the presumed father.
3. Provide that the proposed law exception applies to authentic acts of acknowledgment executed on or after Aug. 1, 2016.