

2023 Regular Session

HOUSE BILL NO. 5

BY REPRESENTATIVE FRIEMAN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PATERNITY: Provides relative to pregnancy-related medical expense obligations

1 AN ACT

2 To amend and reenact the heading of Part 1-B of Chapter 1 of Code Title VII of Book I of
3 Title 9 of the Louisiana Revised Statutes of 1950 and to enact R.S. 9:399.2, relative
4 to paternal obligations; to provide relative to pregnancy-related medical expenses;
5 to provide relative to evidence of paternity; to provide for peremption; and to provide
6 for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. The heading of Part 1-B of Chapter 1 of Code Title VII of Book I of Title
9 9 of the Louisiana Revised Statutes of 1950 is hereby amended and reenacted and R.S.
10 9:399.2 is hereby enacted to read as follows:

11 PART I-B. ESTABLISHMENT OF ~~CHILD~~ SUPPORT
12 IN PATERNITY PROCEEDING

13 * * *

14 §399.2. Effect of paternity on pregnancy-related medical expenses

15 The mother of a child may institute an action against the father of the child
16 to recover fifty percent of documented out-of-pocket pregnancy-related medical
17 expenses. The mother may institute the action only after the paternity of the child
18 has been proved by clear and convincing evidence. The action by the mother shall
19 be instituted within a peremptive period of two years from the day of the birth of the
20 child.

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 5 Original

2023 Regular Session

Frieman

Abstract: Provides for the payment of out-of-pocket pregnancy-related medical expenses from the father.

Proposed law provides that the mother of a child may recover 50% of documented out-of-pocket pregnancy-related medical expenses from the father of the child.

Proposed law provides that the mother may institute the action only if the paternity of the child has been proved by clear and convincing evidence.

Proposed law provides that the action shall be instituted within a preemptive period of two years from the day of the birth of the child.

(Amends the heading of Part 1-B of Chapter 1 of Code Title VII of Book I of Title 9 of the La. Revised Statutes of 1950; Adds R.S. 9:399.2)