

2026 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 19

BY REPRESENTATIVE CHASSION

CHILDREN/LEGITIMATION: Directs the Louisiana State Law Institute to study the presumption of parentage

1 A CONCURRENT RESOLUTION

2 To authorize and direct the Louisiana State Law Institute to study filiation proceedings and
3 the presumption of paternity and to report its findings to the Legislature of Louisiana
4 no later than February 1, 2027.

5 WHEREAS, Civil Code Article 178 provides that filiation is the legal relationship
6 between a child and his parent; and

7 WHEREAS, Civil Code Article 179 provides that filiation is established by proof of
8 maternity or paternity or by adoption; and

9 WHEREAS, Civil Code Article 185 provides that the husband of the mother is
10 presumed to be the father of a child born during the marriage or within three hundred days
11 from the date of the termination of the marriage; and

12 WHEREAS, Civil Code Article 187 provides that the husband may disavow paternity
13 of the child by clear and convincing evidence that he is not the father; and

14 WHEREAS, Civil Code Article 190.1 provides that if blood or tissue sampling
15 indicates that the biological father is the father of the child and not the former husband, the
16 mother, biological father, and former husband may execute a three-party acknowledgment;
17 and

18 WHEREAS, if a three-party acknowledgment is executed, the former husband is not
19 presumed to be the father of the child and the biological father who has acknowledged the
20 child is the presumed father; and

1 WHEREAS, there is no presumption of parentage if the mother is unmarried at the
2 time the child is born; and

3 WHEREAS, R.S. 9:392(A)(3) provides that if the alleged father does not
4 acknowledge the child, the mother has the right to file a paternity suit to establish paternity;
5 and

6 WHEREAS, the presumption of paternity could cause harm to families; and

7 WHEREAS, many families cannot afford court costs to establish paternity and suing
8 to establish paternity could be an undue burden; and

9 WHEREAS, it may be in the best interest of Louisiana families to not have a
10 presumption of paternity.

11 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
12 authorize and direct the Louisiana State Law Institute to study filiation and the presumption
13 of paternity to determine if it is feasible to remove the presumption of paternity and to report
14 its findings to the Legislature of Louisiana no later than February 1, 2027.

15 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
16 director of the Louisiana State Law Institute.

17 BE IT FURTHER RESOLVED that the Louisiana State Law Institute shall submit
18 one printed copy and one electronic copy of any report produced pursuant to this Resolution
19 to the David R. Poynter Legislative Research Library as required by R.S. 24:772.

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)]

HCR 19 Engrossed

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Directs the La. State Law Institute to study filiation proceedings and the feasibility of removing the presumption of paternity.

Requires the La. State Law Institute to provide a written report of its findings to the legislature no later than Feb. 1, 2027.