

2016 Regular Session

HOUSE BILL NO. 93

BY REPRESENTATIVE GREGORY MILLER AND SENATOR THOMPSON

1 AN ACT

2 To amend and reenact Civil Code Articles 256(A) and (C) and 261, relative to terminology;  
3 to provide for updated language; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. Civil Code Articles 256(A) and (C) and 261 are hereby amended and  
6 reenacted to read as follows:

7 Art. 256. ~~Hlegitimate children~~ Children born outside of marriage

8 A. The mother is of right the tutrix of her ~~illegitimate~~ child born outside of  
9 marriage not acknowledged by the father, or acknowledged by him ~~alone~~ without her  
10 concurrence.

11 \* \* \*

12 C. If both parents have acknowledged their ~~illegitimate~~ child born outside  
13 of marriage, the judge shall appoint as tutor the one by whose care the best interests  
14 of the child will be served. However, if the parents are awarded joint custody of  
15 such acknowledged ~~illegitimate~~ child born outside of marriage, then the cotutorship  
16 of such child shall belong of right to both parents, with equal authority, privileges,  
17 and responsibilities, unless modified by order of the court or by an agreement of the  
18 parents, approved by the court awarding joint custody.

19 \* \* \*

1 Art. 261. ~~Illegitimate child~~ Child born outside of marriage

2 The father or mother who is entitled to the tutorship of the ~~illegitimate child~~  
3 born outside of marriage, according to the provisions of Article 256, can choose a  
4 tutor for him, whose appointment, to be valid, must be approved by the judge.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_