

2022 Regular Session

HOUSE BILL NO. 507

BY REPRESENTATIVE MARINO

VITAL RECORDS/BIRTH CERT: Provides relative to surnames recorded on original birth certificates

1 AN ACT

2 To enact R.S. 40:34.2(2)(e), relative to birth certificates; to provide for the designation of
3 a surname under certain circumstances; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 40:34.2(2)(e) is hereby enacted to read as follows:

6 §34.2. Original birth certificate; required contents; name of child

7 The name of the child shall be entered on the original birth certificate in
8 accordance with the following provisions:

9 * * *

10 (2) Surname.

11 * * *

12 (e) In any case provided for in this Subsection, if the mother or the man
13 whose surname may be given to the child possesses both a paternal and maternal
14 surname according to national custom or practice, the surname of the child may be
15 consistent with the national custom or practice of the mother or man.

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 507 Engrossed

2022 Regular Session

Marino

Abstract: Authorizes a child's given surname to be consistent with the national custom or practice of the mother or man whose surname may be given to the child when the mother or man possesses both a maternal and paternal surname.

Present law provides criteria for designating a surname entered on a child's original birth certificate under various circumstances.

Proposed law retains present law and provides that if the mother or the man whose surname may be given to a child possesses both a maternal and paternal surname according to national custom or practice, the surname of the child may be consistent with the national custom or practice of the mother or man.

(Adds R.S. 40:34.2(2)(e))

Summary of Amendments Adopted by House

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

1. Make the selection of the surname consistent with national custom or practice, rather than national law or custom.
2. Use the designation of "mother or the man whose surname may be given to the child", rather than "parent or parents".
3. Provide that the official surname of the child may be made consistent with the national custom or practice of the mother or man, rather than require that the child's surname be the paternal surname of the child's father.
4. Allow the exception to apply in all instances, rather than only in instances when the mother is married or was married within 300 days prior to the birth of the child.
5. Make the exception permissive, rather than mandatory.