

Regular Session, 2014

HOUSE CONCURRENT RESOLUTION NO. 179

BY REPRESENTATIVE THIERRY

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study the prescriptive periods established for disavowal of paternity actions and revocations of authentic acts of acknowledgment and make specific recommendations for revisions to Louisiana laws.

WHEREAS, it is the policy of the state of Louisiana, in matters pertaining to children, to take action that is in the best interests of the child; and

WHEREAS, in an effort to limit circumstances in a child's life that may cause significant disruption or trauma, the Legislature of Louisiana has limited the time within which a father may disavow his paternity or revoke an authentic act of acknowledgment; and

WHEREAS, with advances in science and technology, determining biological paternity through DNA testing has become a routine procedure; and

WHEREAS, societal and cultural norms are ever changing and questions of biological paternity as it relates to a child support obligation are occurring more frequently; and

WHEREAS, obligating a presumed father, who is outside of the time limitation within which he has to contest his paternity, to provide child support to a child who he learns is not biologically his may result in inequities.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana State Law Institute to study the prescriptive periods established for disavowal of paternity actions and revocations of authentic acts of acknowledgment, whether a father of a child who learns that he is not the biological father of the child should be allowed an exception to the established prescriptive periods, and make specific recommendations for revisions to Louisiana law if necessary.

BE IT FURTHER RESOLVED that the Louisiana State Law Institute report its findings and recommendations to the Legislature of Louisiana at least thirty days prior to the convening of the 2015 Regular Session of the Legislature of Louisiana.

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE