

2016 Regular Session

SENATE BILL NO. 439

BY SENATOR RISER

VITAL STATISTICS. Provides relative to the issuance of a birth certificate to a child when a judgment of filiation has been obtained. (8/1/16)

1 AN ACT

2 To amend and reenact R.S. 40:46(A), relative to birth certificates; to provide for new birth
3 certificates after a judgment of filiation; to provide for the payment of costs; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:46(A) is hereby amended and reenacted to read as follows:

7 §46. New certificate of birth when judgment of filiation is obtained

8 A. Upon request of a child who has obtained a judgment of filiation pursuant
9 to Civil Code Article 197, the state registrar, upon receipt of a copy of the judgment,
10 shall prepare a new certificate of birth in the new name of the child wherein the
11 child's surname shall be that of the father recognized in the judgment or a
12 combination of the surname of the father recognized in the judgment and the maiden
13 name of the mother, **so long as all costs due to the state registrar have been paid.**

14 * * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Carla S. Roberts.

DIGEST

SB 439 Original 2016 Regular Session Riser

Present law provides that a child who has obtained a judgment of filiation may request that a new birth certificate be issued reflecting the new name of the child. Present law further requires the state registrar to issue the new birth certificate upon receipt of a copy of the judgment.

Proposed law retains present law but clarifies that the new birth certificate shall be issued as long as the fees which are owed to the state registrar are paid.

Effective August 1, 2016.

(Amends R.S. 40:46(A))