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## DIGEST

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Ligi

HB No. 746

**Abstract:** Provides for the dismissal of a judgment establishing paternity.

Proposed law provides that a judgment of paternity may be set aside if genetic testing indicated that the adjudicated father of a child is not the biological father of the child.

Proposed law requires the proceeding to be brought within certain time periods.

Proposed law provides that if an order of child support is dismissed on the basis of non-paternity, the court shall also nullify the judgment of paternity.

Proposed law provides that the state shall not be liable for compensation to any person as a result of a judgment setting aside or vacating paternity or child support.

Present law provides for certain time periods for the revocation of an authentic act of acknowledgment.

Proposed law retains present law and provides that an authentic act of acknowledgment may be revoked within 60 days of completing and submitting a sworn statement refuting the named father.

Proposed law requires the court to orally explain to an individual the effects of the execution of a notarial act of acknowledgment if the court believes the party may not understand the act.

Proposed law authorizes the court to order genetic testing in certain circumstances and provides that if the results show a probability of 99.9% or greater, a rebuttable presumption of paternity shall be established and the paternity of the acknowledged father shall be revoked.

Proposed law provides that the revocation of a notarial act of acknowledgment does not preclude the initiation of a paternity action against an alleged punitive father.

Proposed law requires the registrar of the office of vital records to make the appropriate changes to the birth record of the child when paternity has been revoked.

(Amends R.S. 9:406; Adds R.S. 9:399.1)