

## CONFERENCE COMMITTEE REPORT SUMMARY

Measure: HB 1603

Principal Authors: Representative Stiles  
Senator Anderson

General Subject Matter: Deployed Parents Custody Act

General Description of **Major Differences** between the current report and the version last seen and voted on in the House and the sections in which such differences are located:

√ Changes from engrossed House measure which were made in the Senate and contained in conference committee report/substitute (applies *only* to House measures):

**Section 5:** Adds language that authorizes a court to enter a custodial order pursuant to this Act only where the court has jurisdiction pursuant to the UCCJEA and the deployed parent will be deemed to reside in this state for purposes of UCCJEA or another state under certain circumstances.

**Section 6:** Removes language related to granting custody and visitation in custody contested cases. Also removes language related to removing a child from this state as it relates to the UCCJEA.

**Section 7:** Modifies the requirement that the deploying parent provide a copy of deployment orders to the other parent within ten days, instead of notify within 20 days.

**Section 9:** Adds language that requires parents and certain persons assigned custody or visitation to notify the court of any change of address.

**Section 10:** Adds language that authorizes the court to enter temporary order for child support and require deploying parent to enroll child to receive military dependent benefits. Such orders must state that it will terminate upon conclusion of deployment.

**Section 12:** Adds language that requires a temporary modification order to terminate ten days after completion of deployment and that the original terms of the prior custody and visitation order will be automatically reinstated.

**Section 13:** Adds language that authorizes the court to assess attorney fees and costs against an opposing party and order sanction in a party acts in bad faith.

√ Changes made in conference:

**Section 1:** Restores language that prohibits the court from entering a final order modifying an existing custody order until the parent has completed the term of duty requiring separation and related definitions.

**Section 2:** Adds new language that prohibits military deployments from being used as evidence of a substantial, material and permanent change of circumstances to warrant a permanent modification of custody.

**Section 6:** Adds language that requires the court to designate a family member to exercise visitation rights upon application to the court by the deploying parent, unless the court determines it not in the best interest of the child.

**Section 7:** Removes the penalty for failure to timely notify the nondeploying parent of where such failure will be presumed to be contrary to the best interests of the child in future custody proceedings between the parents.

**Section 8:** Modifies language related to expedited hearing to be held ten days prior to deployment.

**Section 9:** In an order granting designation of a family member to exercise visitation rights, the measure adds language that requires the court to specify that the order is a temporary order and shall terminate ten days after notice has been provided to the nondeploying parent of the end at the deployment.

**Section 11:** Removes language granting legal standing and adds language that provides that any temporary order issued under the Act will be enforced as any other orders relating to the care, custody and control of the child.

**Section 12:** Removes language related to objections to temporary modification orders and requirements for such objections.

Date Prepared: 05/17/11  
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