

BILL SUMMARY
1st Session of the 53rd Legislature

Bill No.:	HB1603
Version:	Introduced
Request Number:	6161
Author:	Representative Stiles
Date:	2/25/2011
Impact:	\$0

Research Analysis

HB 1603, as introduced, creates the Military Custody and Visitation Act and requires a court to determine custody and visitation pursuant to the provisions of the Military Custody and Visitation Act when a custodial parent of a child is required to be separated from a child due to military service. The measure limits a court's consideration of past and potential future deployments in determining custody. The measure provides that deployments are considered temporary absences for purposes of the Uniform Child Custody and Jurisdiction Enforcement Act and provides for jurisdiction for the duration of deployment.

The deploying parent is required to provide certain notifications to the nondeploying parent and penalties are provided for failure to notify. The measure authorizes motions for certain expedited custody hearings and provides for specific procedure. Thereafter, a court may enter a temporary order for custodial responsibility, but may not enter a permanent order regarding custody or visitation after notice of deployment has occurred. Certain requirements for temporary orders are provided.

Prior judicial decrees containing provisions for custodial responsibility may not be modified except under certain circumstances and certain prior agreements establishes a rebuttable presumption that such prior agreements are in the best interest of the child.

Certain guidelines and procedures are provided when granting the deploying parent the right to delegate visitation rights. Such visitation rights are temporary and the deploying parent is required to notify the nondeploying parent upon returning from deployment. Visitation requirements are provided upon the deploying parent's return.

Prepared By: Andrea Merten

Fiscal Analysis

HB1603 in its current form has no significant fiscal impact.

Prepared By: Marilyn Anderson

Other Considerations

None

