

1 ENGROSSED SENATE
2 BILL NO. 1648

By: Montgomery of the Senate

3 and

4 Roberts (Dustin) of the
5 House

6 An Act relating to the Deployed Parents Custody and
7 Visitation Act; amending 43 O.S. 2011, Section 150.1,
8 as amended by Section 1, Chapter 29, O.S.L. 2017 (43
9 O.S. Supp. 2019, Section 150.1), which relates to
10 definitions; modifying definition; and declaring an
11 emergency.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 43 O.S. 2011, Section 150.1, as
14 amended by Section 1, Chapter 29, O.S.L. 2017 (43 O.S. Supp. 2019,
15 Section 150.1), is amended to read as follows:

16 Section 150.1. As used in the Deployed Parents Custody and
17 Visitation Act:

18 1. "Civilian personnel" means direct-hire, permanent civilian
19 employees of the Department of Defense;

20 2. "Close and substantial relationship" means a relationship in
21 which a bond has been forged between the child and the other person
22 by regular contact or communication;

23 3. "Custodial responsibility" refers to legal custody, physical
24 custody or visitation rights with respect to a child;

1 4. "Deploying parent" means a legal parent of a minor child or
2 the legal guardian of a child, who is a member of the United States
3 Armed Forces, civilian personnel or contractor serving in designated
4 combat zones and who is deployed or has been notified of an
5 impending deployment;

6 5. "Deployment" means the temporary transfer of a
7 servicemember, civilian personnel or contractor serving in
8 designated combat zones in compliance with official orders to
9 another location in support of combat, contingency operation, or
10 natural disaster requiring the use of orders for a period of more
11 than thirty (30) consecutive days, during which family members are
12 not authorized to accompany the servicemember at government expense.
13 Deployment shall include any period during which a servicemember,
14 civilian personnel or contractor serving in designated combat zones
15 is absent from duty on account of sickness, wounds, leave or other
16 lawful cause, and shall also include any transfer pursuant to
17 military orders requiring presence in a foreign country;

18 6. "Guardian" means a person who has been appointed as a
19 guardian of a minor or incapacitated adult pursuant to the
20 requirements of Title 30 of the Oklahoma Statutes. The term shall
21 include a limited guardian, but shall not include a guardian ad
22 litem;

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1 7. "Nondeploying parent" means a legal parent or guardian who
2 is not deployed and who has a child or ward in common with a
3 deploying parent;

4 8. "Servicemember" means a member of either:

5 a. the active or reserve components of the Army, Navy,
6 Air Force, Marine Corps, or Coast Guard, or

7 b. the active or reserve components of the National
8 Guard; and

9 9. "Visitation" means the right to take a child for a limited
10 period of time to a place other than the habitual residence of the
11 child.

12 SECTION 2. It being immediately necessary for the preservation
13 of the public peace, health or safety, an emergency is hereby
14 declared to exist, by reason whereof this act shall take effect and
15 be in full force from and after its passage and approval.

1 Passed the Senate the 3rd day of March, 2020.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2020.

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8 _____
9 Presiding Officer of the House
10 of Representatives