

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 ENGROSSED SENATE
5 BILL NO. 65

 By: Montgomery and **Jett** of the
 Senate

6 and

7 Roberts (Dustin) of the
8 House

9
10 An Act relating to the Deployed Parents Custody and
11 Visitation Act; amending 43 O.S. 2011, Section 150.1,
12 as amended by Section 1, Chapter 29, O.S.L. 2017 (43
13 O.S. Supp. 2020, Section 150.1), which relates to
14 definitions; modifying definition; and declaring an
15 emergency.

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

17 SECTION 1. AMENDATORY 43 O.S. 2011, Section 150.1, as
18 amended by Section 1, Chapter 29, O.S.L. 2017 (43 O.S. Supp. 2020,
19 Section 150.1), is amended to read as follows:

20 Section 150.1. As used in the Deployed Parents Custody and
21 Visitation Act:

22 1. "Civilian personnel" means direct-hire, permanent civilian
23 employees of the Department of Defense;
24

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

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

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

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

23 6. "Guardian" means a person who has been appointed as a
24 guardian of a minor or incapacitated adult pursuant to the

requirements of Title 30 of the Oklahoma Statutes. The term shall include a limited guardian, but shall not include a guardian ad litem;

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

8. "Servicemember" means a member of either:

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

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

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

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

COMMITTEE REPORT BY: COMMITTEE ON VETERANS AND MILITARY AFFAIRS, dated 03/30/2021 - DO PASS, As Coauthored.