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February 4, 2021

By: Montgomery

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

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

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

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

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

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

3. "Custodial responsibility" refers to legal custody, physical 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;

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.

16 COMMITTEE REPORT BY: COMMITTEE ON VETERANS AND MILITARY AFFAIRS
17 February 4, 2021 - DO PASS
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