

1 HB262
2 165573-1
3 By Representatives Moore (B), Ingram, Polizos, Baker, Shiver,
4 Chesteen, Drake, Williams (JW), Alexander, Clouse, Gaston,
5 Ainsworth, Tuggle, South, Farley, Sanderford, Rowe, Ledbetter,
6 Whorton (R), Pettus, Robinson, McClammy and Boothe
7 RFD: Judiciary
8 First Read: 12-MAR-15

1 165573-1:n:03/11/2015:JMH/agb LRS2015-785

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8 SYNOPSIS: This bill would provide that military
9 deployment of a parent may not be considered by a
10 court as the sole factor in making an original
11 child custody determination or a modification.

12 This bill would also specify that any
13 continuance or stay of a child custody case
14 pursuant to the Federal Servicemembers Civil Relief
15 Act may include a pendente lite custody
16 determination order.

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18 A BILL

19 TO BE ENTITLED

20 AN ACT

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22 Relating to child custody; to prohibit military
23 deployment of a parent from being the sole factor in a child
24 custody determination; and to authorize the court to enter a
25 pendente lite order.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) A military deployment, including past, previous, or future deployments, may not be considered by the court as the sole factor when making an original child custody determination, or in modifying an existing child custody determination, in any proceeding involving any person who has sought, or is seeking, custodial rights to, or visitation rights with, a child.

(b) Any order granting a continuance or stay of a child custody case granted pursuant to the Federal Servicemembers Civil Relief Act, 50 App. U.S.C. Sections 501 to 596, inclusive, may include a pendente lite custody determination order.

(c) Nothing in this section shall be construed so as to limit or expand the legal rights of any person under any existing law.

Section 2. This act shall become effective immediately following its passage and approval by the Governor, or its otherwise becoming law.