

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 561

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Version: First Engrossment

Authors: Atkins and others

Subject: Certain convicted offenders prohibited from being custodians or having parenting time rights

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Overview

Current law provides a process for certain non-relatives to become custodians of children. This bill requires that if someone other than a parent by birth or adoption wants to become a non-relative custodian or get parenting time rights, the individual must show by clear and convincing proof (the highest civil standard) that she or he has not been convicted of any of a list of specified violent or sex crimes.

Section

- 1 Interested third party; burden of proof; factors.** Amends the third party custody statute to specify that a person seeking child custody under that law must prove by clear and convincing evidence that he or she has not been convicted of any of the violent or sex crimes listed in the current statute that restricts parents' ability to get custody or parenting time rights.
- 2 Custody of child.** Amends the current statute that restricts custody and parenting rights of individuals with specified criminal convictions. Specifies that someone who has been convicted of one of the crimes listed in current law may only be considered for custody of a child if the person is a parent by birth or adoption (for example a step-parent could not obtain rights in this situation).