

S.B. 186

CUSTODY AND PARENT-TIME FOR NON-PARENTS

Senator **Lyle W. Hillyard** proposes the following amendments:

1. *Page 1, Lines 10 through 11:*

10 This bill allows persons who are related to a child and have assumed the role of parent
11 to petition the court for custody or ~~{-parent-time-}~~ visitation .

2. *Page 1, Line 15:*

15 ▶ provides a procedure for a person other than a parent to gain custody or
~~{-parent-time-}~~ visitation ;

3. *Page 2, Line 31*

Senate 2nd Reading Amendments
2-18-2008:

31 CHAPTER 5a. CUSTODY AND ~~{-PARENT-TIME-}~~ VISITATION FOR PERSONS

4. *Page 2, Line 35*

Senate 2nd Reading Amendments
2-18-2008:

35 This chapter is known as the "Custody and ~~{-Parent-time-}~~ Visitation for Persons Other than
Parents

5. *Page 2, Lines 41 through 48a*

Senate 2nd Reading Amendments
2-18-2008:

41 (2) "Person other than a parent" means a person ~~{-S-}~~;

41a ~~—~~ ~~(a) ←S~~ related to the child by marriage or

42 blood, including:

43 S→ {+} (a) {+} ~~{-i-}~~ ←S siblings;

44 S→ {+} (b) {+} ~~{-ii-}~~ ←S aunts;

45 S→ {+} (c) {+} ~~{-iii-}~~ ←S uncles;

46 S→ {+} (d) {+} ~~{-iv-}~~ ←S grandparents; or

47 S→ {+} (e) {+} ~~{-v-}~~ current or former ←S step-parents, or any of the persons in

Subsections (2)(a)

47a through (d) in a step
48 relationship to the child {~~§~~; or
48a ~~—— (b) with whom the child has a court-sanctioned relationship ~~§~~~~ .

6. Page 2, Line 50
Senate 2nd Reading Amendments
2-18-2008:

50 30-5a-103. Custody and {~~parent-time~~} visitation for persons other than a parent.

7. Page 2, Lines 55 through 56
Senate 2nd Reading Amendments
2-18-2008:

55 (2) A court may find the presumption in Subsection (1) rebutted and grant custodial or
56 {~~parent-time~~} visitation rights to a person other than a parent who, by clear and convincing evidence,
has

8. Page 3, Lines 68 through 72:

68 (g) the parent:
69 {~~(i) has consented or acquiesced to the parental role of the person;~~}
70 {~~(ii)~~} (i) is absent; or
71 {~~(iii)~~} (ii) is found by a court to {~~be abusive, neglectful, or to have left~~} have abused
or neglected the child {~~dependent~~
72 through the fault of the parent} .

9. Page 3, Lines 73 through 74:

73 (3) A proceeding under this chapter may be commenced by filing a verified petition, or
74 petition supported by an affidavit, in the juvenile court if a matter is pending, or in the district court in
the county in which the child:

10. Page 3, Lines 78 through 79:

78 (4) A proceeding under this chapter may be filed in a pending divorce, parentage
79 action, or other proceeding , including a proceeding in the juvenile court, involving custody {~~and~~
parent-time issues} of or visitation with a child .

11. Page 3, Line 82:

82 in Section {~~78-45c-209~~} 78B-13-209 .

12. Page 3, Line 88:

88 (b) any person who has court-ordered custody or {~~parent-time~~} visitation rights;

13. Page 4, Lines 91 through 94:

91 (e) a person or agency that has physical custody of the child or that claims to have

92 custody or {~~parent-time~~} visitation rights; and

93 (f) any other person or agency that has previously appeared in any action regarding

94 custody of or {~~parent-time of~~} visitation with the child.