

H.B. 276

CUSTODIAL INTERFERENCE AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 2

MARCH 5, 2009 11:15 AM

Representative **Carl Wimmer** proposes the following amendments:

1. *Page 2, Lines 39 through 46*

House Committee Amendments

2-24-2009:

39 (b) "Custody" means court-ordered physical custody, ~~{parent-time, or visitation, if the order~~
40 ~~is}~~

entered by a court of competent jurisdiction.

(c) "Visitation" means court-ordered parent-time or visitation, entered by a court of competent jurisdiction.

41 ~~{(2) A person, whether a parent or other, is guilty of custodial interference if the person~~

42 ~~intentionally or knowingly takes, entices, conceals, detains, or withholds a child from an~~

43 ~~individual who is entitled to custody of the child, or otherwise intentionally ~~if~~ [or knowingly] ~~if~~~~

44 ~~interferes with the custody to which that individual is entitled, during a period of time when:~~

45 ~~——(a) the person is not entitled to custody of the child; and~~

46 ~~——(b) the individual is entitled to custody of the child.}~~

(2) (a) A person who is entitled to custody of a child is guilty of custodial interference if, during a period of time when another person is entitled to visitation of the child, the person takes, entices, conceals, detains, or withholds the child from the person entitled to visitation of the child, with the intent to interfere with the visitation of the child.

(b) A person who is entitled to visitation of a child is guilty of custodial interference if, during a period of time when the person is not entitled to visitation of the child, the person takes, entices, conceals, detains, or withholds the child from a person who is entitled to custody of the child, with the intent to interfere with the custody of the child.

2. *Page 2, Lines 50 through 51*

House Committee Amendments

2-24-2009:

50 misdemeanor, if the ~~{person}~~ actor described in Subsection (2) commits custodial interference within

51 three years after the day on which the ~~{person}~~ actor was previously convicted of custodial

3. *Page 3, Line 54:*

54 custodial interference, the ~~{person}~~ actor described in Subsection (2) removes, causes the removal, or

4. Page 3, Line 58:

58 the ~~{individual}~~ person whose custody or visitation of the child was interfered with.