

## 2nd Sub. H.B. 64

# CUSTODY AND VISITATION RIGHTS AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 7, 2020 4:10 PM

Representative **Kyle R. Andersen** proposes the following amendments:

1. *Page 5, Line 133 through Page 6, Line 150:*

133 (2) A court may find the presumption in Subsection (1) rebutted and grant custodial or  
134 visitation rights to [~~a person~~] an individual other than a parent who, by clear and convincing  
135 evidence, [~~has established all of the following~~] establishes that:

136 (a) the [~~person~~] individual has intentionally assumed the role and obligations of a  
137 parent;

138 (b) the [~~person~~] individual and the child have formed [~~an~~] a substantial emotional bond  
139 and created a parent-child type relationship;

140 (c) the [~~person~~] individual substantially contributed emotionally {+} or {+} {~~and~~}  
financially to

141 the child's well being;

142 (d) the assumption of the parental role is not the result of a financially compensated  
143 surrogate care arrangement;

144 (e) the continuation of the relationship between the [~~person~~] individual and the child  
145 [~~would be~~] is in the child's best [~~interests~~] interest;

146 (f) the loss or cessation of the relationship between the [~~person~~] individual and the  
147 child would [~~be detrimental to~~] substantially harm the child; and

148 (g) the parent:

149 (i) is absent; or

150 (ii) is found by a court to have abused or neglected the child.