

1 HB613
2 160591-1
3 By Representative Moore (B)
4 RFD: Judiciary
5 First Read: 18-MAR-14

2
3
4
5
6
7
8 SYNOPSIS: This bill would prohibit the consideration
9 of military deployment as the sole factor when
10 making an original child custody determination or
11 in modifying an existing child custody
12 determination.

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

18
19 A BILL
20 TO BE ENTITLED
21 AN ACT

22
23 Relating to child custody; to prohibit the
24 consideration of military deployment as the sole factor when
25 making an original child custody determination or modifying an
26 existing determination; and to provide that certain orders

1 granting a continuance or stay of a child custody case may
2 include a pendente lite custody determination.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. (a) For the purposes of this section,
5 "child custody determination" shall have the same meaning as
6 provided in Section 30-3B-102, Code of Alabama 1975.

7 (b) A military deployment, including past, current,
8 or future deployments, may not be considered by the court as
9 the sole factor when making an original child custody
10 determination or in modifying an existing child custody
11 determination, in any proceeding involving any person who has,
12 or is seeking, custodial rights to, or visitation rights with,
13 a child.

14 Section 2. An order granting a continuance or stay
15 of a child custody case pursuant to the Federal Servicemembers
16 Civil Relief Act, 50 App. U.S.C. §501 et seq., may include a
17 pendente lite custody determination order.

18 Section 3. Nothing in this act shall be construed to
19 limit or expand the legal rights of any person under any
20 existing law.

21 Section 4. This act shall become effective
22 immediately following its passage and approval by the
23 Governor, or its otherwise becoming law.