

Hall of the House of Representatives

91st General Assembly - Regular Session, 2017

Amendment Form

Subtitle of House Bill No. 2058

TO AMEND THE LAW CONCERNING ADOPTION, CHILD PLACEMENT AND CUSTODY, AND THE RIGHTS OF GRANDPARENTS.

Amendment No. 1 to House Bill No. 2058

Amend House Bill No. 2058 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 9, Chapter 13, Subchapter 1, is amended to add an additional section to read as follows:

9-13-111. Custody rights of grandparents – Definitions.

(a) For purposes of this section:

(1) "Child" means the same as defined under § 9-13-107; and

(2) "Petitioner" means an individual who may petition for custody of a child under this section.

(b)(1) A grandparent or great-grandparent may petition a court for change of custody of a child whose parents have deserted the child without affording means of identification or have abandoned the child if before the date on which the petition is filed the:

(A) Child has not been placed in the custody of the Department of Human Services; and

(B) Department has not received a report concerning the desertion or abandonment of the child by the child's parents.

(2)(A) A court may grant a petition for change of custody of a child under this section if it is in the best interest of the child.

(B) The court shall not deny a petition for change of custody of a child under this section based solely on the department's receipt of a report concerning the desertion or abandonment of the child by the child's parents or the child being placed in the custody of the department after the petition is filed.

(3)(A) A petition for change of custody of a child under this section shall be served on the parents or the respective attorneys of the parents of the child who is the subject of the petition.

(B) A parent who is served with a petition for change of custody of a child under this section may file an objection to the petition.

(c) A petitioner's home is not required to be approved as a regular foster home or provisional foster home of the department before a petition for change of custody of a child under this section may be granted by the court.



(d)(1) The court may order a criminal records check through the Arkansas Crime Information Center, including a check of the sex offender registry under the Sex Offender Registration Act of 1997, 12-12-901 et seq., and a child maltreatment check of a petitioner.

(2) The petitioner shall be responsible for paying all costs associated with the criminal records check and the child maltreatment check."

The Amendment was read _____

By: Representative Hammer
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Chief Clerk