

ARKANSAS SENATE
83rd General Assembly - Regular Session, 2001
Amendment Form

Subtitle of House Bill No. 1047

"TO AMEND ARKANSAS CODE 9-13-101 TO PROVIDE THAT GRANDPARENTS WHO
HAVE HAD CONTINUOUS CUSTODY OF GRANDCHILDREN SHALL RECEIVE NOTICE
AND AN OPPORTUNITY TO BE HEARD IN CHILD PROCEEDING AND DEPENDENCY-
NEGLECT PROCEEDINGS."

Amendment No. 1 to House Bill No. 1047.

Amend House Bill No. 1047 as engrossed, H2/1/01:

Add Representative Goss as a House cosponsor to the bill

AND

Add Senator Faris as a Senate cosponsor to the bill

AND

Page 2, delete line 11 and substitute:

"year of the date the child custody proceeding was initiated.
(C) Notice to a grandparent shall be given by the moving
party."

AND

Page 2, line 12, delete "(2)" and substitute "(2)(A)"

AND

Page 2, line 14, delete "or grandparent"

AND

Page 2, delete line 15 and substitute:

"of the children.
(B) When a court order holds that it is in the best
interest of the child to award custody to a grandparent, the award of custody
shall be made without regard to the sex of the grandparent.

(b) Upon petition by a grandparent who meets the requirements of

subsection (a) of this section, a court shall grant the grandparent a right to intervene pursuant to Rule 24(a) of the Arkansas Rules of Civil Procedure. "

AND

Page 2, line 16, delete "(b)(1)" and substitute "~~(b)(1)~~ (c)(1)"

AND

Page 2, delete lines 18 through 23 and substitute:
"with both parents.

(2) If a grandparent meets the requirements of subsection (a) of this section and is a party to the proceedings, the court may consider the continuing contact between the child and a grandparent who is a party, and the court may consider orders to assure the continuing contact between the grandparent and the child.

~~(2)(3)~~ To this effect, in making an order for custody, to either parent the court may consider, among other facts, which parent party is more likely to allow the child or children frequent and continuing contact with the noncustodial parent and the noncustodial grandparent who meets the requirements of subsection (a) of this section."

AND

Page 2, line 24, delete "(c)" and substitute "(d)"

AND

Page 2, delete line 25 and substitute:
"putative father of a child.

(e)(1) The party that initiates a child custody proceeding shall notify the court of the name and address of any grandparent who is entitled to notice under the provisions of subsection (a) of this section.

(2) The notice shall be in accordance with § 16-55-114."

AND

Page 2, line 35, delete "and"

AND

Page 3, delete line 1 and substitute:

"year of the date the child custody proceeding was initiated; and

(D) Notice to a grandparent under this subsection (I) shall be given by the Department of Human Services."

AND

Page 3, line 12, add the following:

"(3) For purposes of this subsection (I), "grandparent" does not mean a parent of a putative father of a child."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Webb

MG/VJF

VVF114

Secretary