

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 417

**DATE:** February 24, 2003

**Version:** As introduced

**Authors:** Pugh and others

**Subject:** Custodial parent removing child from state

**Analyst:** Deborah K. McKnight, Legislative Analyst (651-296-5056)

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### Overview

The bill changes the standards governing when a custodial parent can move out of state with a child.

#### Section

- 1** **Moving the child to another state.** Amends the parenting plan statute by string language that would be inconsistent with section 2.
- 2** **Move to another state.** Amends the parenting time statute provision on a custodial parent moving a child out of state when the other parent has been granted parenting time. Requires a court to consider the best interests of the child when hearing a custodial parent's request to move a child out of state. Lists factors the court must consider: (1) the child's relationship to both parents, siblings, and other significant persons; (2) the child's needs and likely impact of relocation on the child's development; (3) the feasibility of preserving the child's relationship to the parent who remains in this state; (4) the child's preference; (5) whether there is an established pattern by the parent seeking relocation of thwarting the child's relationship with the other parent; (6) whether relocation will enhance the quality of life of the moving parent and the child; (7) each person's reasons for seeking or opposing relocation; (8) the effect on the child of actions of an abuser if there has been domestic abuse between the parents or a parent and anyone else; (9) other factors affecting the child's best interests.  
  
The parent seeking to move has the burden of proof.
- 3** **Modification.** Amends the statute on modification of custody orders and parenting plans. Adds a new factor that will justify a change in custody: that the custodial parent has relocated to another state after the court denied permission for such a move.

