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AS AMENDED

By: McDugle of the House

Jett of the Senate

An Act relating to marriage; amending 43 O.S. 2021, Sections 150.1 and 150.3, which relate to the Deployed Parents Custody and Visitation Act; modifying definition; providing for the designation of certain individuals to exercise visitation rights under certain circumstances; and providing an effective date.

SECTION 1. AMENDATORY 43 O.S. 2021, Section 150.1, is amended to read as follows:

Section 150.1 As used in the Deployed Parents Custody and Visitation Act:

1. "Civilian personnel" means direct-hire, permanent civilian employees of the Department of Defense;

2. "Close and substantial relationship" means a relationship in which a bond has been forged between the child and the other person by regular contact or communication;

3. "Custodial responsibility" refers to legal custody, physical custody or visitation rights with respect to a child;

1 4. "Deploying parent" means a legal parent of a minor child or
2 the legal guardian of a child, who is a member of the United States
3 Armed Forces, civilian personnel or contractor serving in designated
4 combat zones or duty stations and who is deployed ~~or~~, has been
5 notified of an impending deployment, or is actively serving in a
6 duty station outside of the parent's home city;

7 5. "Deployment" means the temporary transfer of a
8 servicemember, civilian personnel or contractor serving in
9 designated combat zones in compliance with official orders to
10 another location in support of combat, contingency operation, or
11 natural disaster requiring the use of orders for a period of more
12 than thirty (30) consecutive days, during which family members are
13 not authorized to accompany the servicemember at government expense.
14 Deployment shall include any period during which a servicemember,
15 civilian personnel or contractor serving in designated combat zones
16 is absent from duty on account of sickness, wounds, leave or other
17 lawful cause, and shall also include any transfer pursuant to
18 military orders requiring presence in a foreign country;

19 6. "Guardian" means a person who has been appointed as a
20 guardian of a minor or incapacitated adult pursuant to the
21 requirements of Title 30 of the Oklahoma Statutes. The term shall
22 include a limited guardian, but shall not include a guardian ad
23 litem;

1 7. "Nondeploying parent" means a legal parent or guardian who
2 is not deployed and who has a child or ward in common with a
3 deploying parent;

4 8. "Servicemember" means a member of either:

- 5 a. the active or reserve components of the Army, Navy,
6 Air Force, Marine Corps, **Space Force**, or Coast Guard,
7 or
- 8 b. the active or reserve components of the National
9 Guard; and

10 9. "Visitation" means the right to take a child for a limited
11 period of time to a place other than the habitual residence of the
12 child.

13 SECTION 2. AMENDATORY 43 O.S. 2021, Section 150.3, is
14 amended to read as follows:

15 Section 150.3 A. In order to ensure an ongoing relationship
16 with the child while deployed or while serving in a duty station
17 outside of the parent's home city, pursuant to the Deployed Parents
18 Custody and Visitation Act, upon application to the court by the
19 deploying parent, the court shall designate a family member or
20 another person with a close and substantial relationship to the
21 child to exercise his or her visitation rights, unless the court
22 determines it is not in the best interests of the child.

23 B. Visitation awarded pursuant to this section derives from the
24 deploying parent's own right to custodial responsibility. Neither

1 this section nor a court order permitting designation shall be
2 deemed to create any separate or permanent rights to visitation.

3 SECTION 3. This act shall become effective November 1, **2024**.

4 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
5 April 2, 2024 - DO PASS AS AMENDED
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