

BILL SUMMARY
1st Session of the 60th Legislature

Bill No.:	HB2081
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Author:	Rep. Blair
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Research Analysis

HB 2081, as introduced, creates the "Uniform Child Abduction Prevention Act." The measure allows a court to order abduction prevention measure in a child custody proceeding on its own motion if the court finds evidence that establishes abduction as a credible risk. A listed party may file a petition seeking abduction prevention measures. A district attorney may also seek a warrant to take physical custody of the child or other appropriate prevention measures. A petition may only be filed in a court with the jurisdiction to make a child custody determination. A petition under this act must be verified and include a copy of any existing child custody determination. The petition should include the elements listed in the measure. The measure also outlines considerations the court should make in determination whether there is a credible risk for abduction. If a petition is filed under this act, the court may enter an order that must include the information listed in the measure. If the court finds a credible risk of abduction, they must enter an abduction prevention order. An abduction prevention order is allowed to include one or more of the provisions listed in the measure and the court may impose conditions on the exercise of custody or visitation. In order to prevent imminent abduction of a child, a court may issue a warrant to take physical custody of the child, direct the use of law enforcement to take reasonably necessary measure, or grant any other relief allowed under state law. The measure also allows the court to issue an ex parte warrant to take physical custody of the child if the petition contains allegations and the court finds that there is a credible risk that the child is imminently likely to be wrongfully removed. The measure provides for how long an abduction prevention remains in effect.

Prepared By: Suzie Nahach

Fiscal Analysis

HB2081 sets forth civil procedures related to child abduction proceedings. In its current form, this measure is not anticipated to have a material impact on state budget or appropriations.

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Other Considerations

None.