

Bill Summary
1st Session of the 60th Legislature

Bill No.:	SB 79
Version:	INT
Request No.	733
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Date:	12/20/2024

Bill Analysis

SB 79 creates the Uniform Child Abduction Prevention Act. The measure authorizes a court to order abduction prevention measures in a child custody proceeding if the court finds that the evidence establishes a credible risk of abduction of the child. Parties to a child custody determination or another individual or entity having a right to seek a child custody determination are authorized to file a petition seeking abduction prevention measures to protect the child. Such petitions may only be filed in the court that has jurisdiction to make a child custody determination for the child in question. Petitions must also specify the risk factors for abduction, the customary address and current physical location of the child and respondent, a statement of whether a prior action to prevent abduction or domestic violence has been filed by a party or other individual or entity having custody of the child, and a statement of whether a party to the proceeding has been arrested for a crime related to domestic violence, stalking, or child abuse or neglect. The court shall consider the factors outlined in the measure prior to determining whether the petition shall be granted or not. If the court grants the order, the order shall specify the visitation and custody rights of all parties, notify parties about the potential criminal and civil penalties for violating the order, and the location of the child's customary residence. The court may restrict the travel of a child outside of a geographic area with a particular party and may require the posting of a bond or other surety. The court may also take custody of the child if the petition alleges certain crimes and the court finds that there is a credible risk that the child is imminently likely to be wrongfully removed.

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