

HOUSE BILL NO. HB0063

Child custody modification after military service.

Sponsored by: Representative(s) Throne and Petersen and
Senator(s) Hastert, Nutting, Perkins and Von
Flatern

A BILL

for

1 AN ACT relating to child custody and visitation; requiring
2 the automatic termination of temporary custody and
3 visitation orders issued during temporary military duty;
4 providing an exception; and providing for an effective
5 date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 20-2-205(a)(iii) is amended to read:

10

11 **20-2-205. Temporary military duty; definitions;**
12 **modification of orders; visitation assignment; electronic**
13 **evidence.**

14

15 (a) When a service member who has custody or
16 visitation of a child receives temporary duty, deployment

1 or mobilization orders from the military which require the
2 service member to move a substantial distance from the
3 service member's residence or otherwise have a temporary
4 but material effect on the service member's ability to
5 exercise custody or visitation responsibilities:

6
7 (iii) ~~In~~When issuing any temporary custody or
8 visitation order under this section, the court shall
9 ~~consider whether the temporary order should automatically~~
10 ~~terminate~~make the order temporary and require that the
11 order automatically terminate not more than twenty (20)
12 days after the service member has provided written notice
13 of the service member's return to the court and all persons
14 having custody or visitation rights under the order. The
15 court may stay the automatic termination of a temporary
16 custody or visitation order under this paragraph upon the
17 filing of a motion for modification under W.S. 20-2-204;

18
19 **Section 2.** This act is effective July 1, 2012.

20
21 (END)