

HB 1050 - H AMD 17

By Representative Shea

ADOPTED 02/22/2011

1 On page 3, beginning on line 3, strike all of section 2 and insert
2 the following:

3
4 "NEW SECTION. Sec. 2. A new section is added to chapter 26.09
5 RCW to read as follows:

6 A military parent seeking to establish a temporary or permanent
7 parenting plan or other court order designating residential time or
8 visitation rights may request the court to delegate the military
9 parent's residential time or visitation rights, or a portion thereof,
10 as provided under RCW 26.09.260(11) and (12), when the military parent
11 is or will be:

12 (1) Under temporary duty, deployment, activation, or mobilization
13 orders that involve moving a substantial distance away from the
14 military parent's residence or would otherwise have a material effect
15 on the military parent's ability to exercise residential time or
16 visitation rights; or

17 (2) Under temporary duty that involves being more than one night
18 away from the military parent's residence at the time he or she is
19 scheduled to have residential time or visitation."
20

21 On page 6, beginning on line 10, after "receives" strike all
22 material through "responsibilities" on line 14 and insert "~~((temporary~~
23 ~~duty, deployment, activation, or mobilization orders from the military~~
24 ~~that involve moving a substantial distance away from the parent's~~
25 ~~residence or otherwise would have a material effect on the parent's~~
26 ~~ability to exercise parenting functions and primary placement~~
27 ~~responsibilities))~~ or will receive temporary duty, deployment,

1 activation, or mobilization orders that involve moving a substantial
2 distance away from the military parent's residence or otherwise have a
3 material effect on the military parent's ability to exercise
4 residential time or visitation rights, or receives or will receive
5 temporary duty that involves being more than one night away from the
6 military parent's residence at the time he or she is scheduled to have
7 residential time or visitation"

8
9 On page 6, beginning on line 29, after "(a)" strike all material
10 through "at" on line 34 and insert "~~((If a parent receives military~~
11 ~~temporary duty, deployment, activation, or mobilization orders that~~
12 ~~involve moving a substantial distance away from the military parent's~~
13 ~~residence or otherwise have a material effect on the military parent's~~
14 ~~ability to exercise residential time or visitation rights, at))~~ A
15 parent seeking to modify a parenting plan or court order designating
16 residential time or visitation rights may request the court to
17 delegate the parent's residential time or visitation rights, or a
18 portion thereof, pursuant to subsection (b) of this section when the
19 parent:

20 (i) Receives or will receive temporary duty, deployment,
21 activation, or mobilization orders that involve moving a substantial
22 distance away from the military parent's residence or otherwise have a
23 material effect on the military parent's ability to exercise
24 residential time or visitation rights; or

25 (ii) Receives or will receive temporary duty that involves being
26 more than one night away from the military parent's residence at the
27 time he or she is scheduled to have residential time or visitation.

28 (b) Pursuant to subsection (a) of this section and upon"

29
30 On page 7, at the beginning of line 6, strike "(b)" and insert
31 "(c)"

32
33 On page 7, at the beginning of line 11, strike "(c)" and insert
34 "(d)"

EFFECT: Allows a military parent, when establishing or modifying a parenting plan or other court order designating residential time, to ask the court to delegate his or her time if the parent receives or will receive temporary orders that involve being more than one night away from the military parent's residence at the time he or she is scheduled to have residential time with the child.

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