

SENATE BILL REPORT

SB 6730

As Reported By Senate Committee On:
Law & Justice, February 6, 1998

Title: An act relating to restrictions in parenting plans.

Brief Description: Changing allowable restrictions in parenting plans.

Sponsors: Senators Strannigan, Roach, Long, Hargrove and Oke.

Brief History:

Committee Activity: Law & Justice: 2/5/98, 2/6/98 [DPS, DNPS].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 6730 be substituted therefor, and the substitute bill do pass.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Goings, Hargrove, Kline, Long, McCaslin and Thibaudeau.

Minority Report: Do not pass substitute.

Signed by Senators Stevens and Zarelli.

Staff: Aldo Melchiori (786-7439)

Background: Pursuant to a proceeding for dissolution, legal separation, or parentage, the court may preclude or limit a parent's custody or visitation provisions in a parenting plan if the parent's involvement or conduct may have an adverse effect on the child's best interests. Factors currently considered are: neglect or substantial non-performance of parenting functions, the parent's long-term emotional or physical impairment, the parent's long-term substance abuse, the absence or impairment of emotional ties, an abusive conflict which creates a danger of serious damage to the child's psychological development, the parent's actions to withhold access to the child without good cause, and such other factors that the court finds against the child's best interests.

There are some parents that participate in criminal behavior. It has been suggested that parents who commit crimes when their children are present are setting a bad example by modeling criminal behavior.

Summary of Substitute Bill: The court may preclude or limit a parent's custody or visitation provisions in a parenting plan if the parent is convicted of two or more felonies which were committed within the sight or sound of the child.

Substitute Bill Compared to Original Bill: Only two or more felony convictions constitute a limiting factor for custody or visitation provisions.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Testified: No one.