

An Act

ENROLLED SENATE
BILL NO. 65

By: Montgomery and Jett of the
Senate

and

Roberts (Dustin) and Manger
of the House

An Act relating to the Deployed Parents Custody and Visitation Act; amending 43 O.S. 2011, Section 150.1, as amended by Section 1, Chapter 29, O.S.L. 2017 (43 O.S. Supp. 2020, Section 150.1), which relates to definitions; modifying definition; and declaring an emergency.

SUBJECT: Deployed Parents Custody and Visitation Act

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 43 O.S. 2011, Section 150.1, as amended by Section 1, Chapter 29, O.S.L. 2017 (43 O.S. Supp. 2020, Section 150.1), is amended to read as follows:

Section 150.1. As used in the Deployed Parents Custody and Visitation Act:

1. "Civilian personnel" means direct-hire, permanent civilian employees of the Department of Defense;

2. "Close and substantial relationship" means a relationship in which a bond has been forged between the child and the other person by regular contact or communication;

3. "Custodial responsibility" refers to legal custody, physical custody or visitation rights with respect to a child;

4. "Deploying parent" means a legal parent of a minor child or the legal guardian of a child, who is a member of the United States Armed Forces, civilian personnel or contractor serving in designated combat zones and who is deployed or has been notified of an impending deployment;

5. "Deployment" means the temporary transfer of a servicemember, civilian personnel or contractor serving in designated combat zones in compliance with official orders to another location in support of combat, contingency operation, or natural disaster requiring the use of orders for a period of more than thirty (30) consecutive days, during which family members are not authorized to accompany the servicemember at government expense. Deployment shall include any period during which a servicemember, civilian personnel or contractor serving in designated combat zones is absent from duty on account of sickness, wounds, leave or other lawful cause, and shall also include any transfer pursuant to military orders requiring presence in a foreign country;

6. "Guardian" means a person who has been appointed as a guardian of a minor or incapacitated adult pursuant to the requirements of Title 30 of the Oklahoma Statutes. The term shall include a limited guardian, but shall not include a guardian ad litem;

7. "Nondeploying parent" means a legal parent or guardian who is not deployed and who has a child or ward in common with a deploying parent;

8. "Servicemember" means a member of either:

- a. the active or reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard, or
- b. the active or reserve components of the National Guard; and

9. "Visitation" means the right to take a child for a limited period of time to a place other than the habitual residence of the child.

SECTION 2. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 11th day of February, 2021.

Presiding Officer of the Senate

Passed the House of Representatives the 21st day of April, 2021.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____