

## HOUSE BILL NO. HB0114

Shared parenting.

Sponsored by: Representative(s) Brown, Laursen, Lindholm,  
Olsen, Stith, Sweeney and Zwonitzer and  
Senator(s) Biteman, Boner and Pappas

A BILL

for

1 AN ACT relating to child custody; providing a presumption for  
2 issuance of an order of shared custody as specified; providing  
3 definitions; specifying applicability; and providing for an  
4 effective date.

5

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

7

8 **Section 1.** W.S. 20-2-201(a)(intro), (d) and by creating  
9 a new subsection (j) is amended to read:

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11 **20-2-201. Disposition and maintenance of children in**  
12 **decree or order; access to records.**

13

14 (a) Unless otherwise specified, in granting a divorce,  
15 separation or annulment of a marriage or upon the

1 establishment of paternity pursuant to W.S. 14-2-401 through  
2 14-2-907, the court ~~may~~shall make by decree or order any  
3 disposition of the children that ~~appears most expedient and~~  
4 is in the best interests of the children. In determining the  
5 best interests of the child, the court shall consider, but is  
6 not limited to, the following factors:

7

8 (d) The court shall order custody in well defined terms  
9 to promote understanding and compliance by the parties. ~~In~~  
10 ~~determining custody a court shall not favor or disfavor any~~  
11 ~~form of custody.~~ Custody shall be crafted to promote the best  
12 interests of the children, ~~and may include any combination~~  
13 ~~of joint, shared or sole custody.~~ The court shall enter an  
14 order of shared custody unless:

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16 (i) A different form of custody has been agreed to  
17 in writing and signed by both parties;

18

19 (ii) There has been a finding of domestic violence  
20 by one (1) or both parties;

21

1           (iii) One (1) or both parties have been adjudged  
2 by a court to be guilty of cruelty, abuse, neglect or  
3 mistreatment of the children;

4  
5           (iv) The parties no longer reside within three  
6 hundred (300) miles of each other and sole physical custody  
7 is the only practical arrangement; or

8  
9           (v) There is clear and convincing evidence that  
10 sole physical custody is in the best interests of the  
11 children.

12  
13           (j) For purposes of this section:

14  
15           (i) "Joint legal custody" means both parents share  
16 the decision making rights, responsibilities and authority  
17 related to the health, education and welfare of the children;

18  
19           (ii) "Joint physical custody" means the children  
20 physically reside with each parent for a substantially equal  
21 amount of time each calendar year, with a parental plan  
22 crafted to promote the best interests of the children;

23

1           (iii) "Shared custody" means a child custody  
2 arrangement that includes both joint legal custody and joint  
3 physical custody;

4  
5           (iv) "Sole physical custody" means a child custody  
6 arrangement in which the children reside with one (1) parent  
7 the majority of time each calendar year, subject to any  
8 visitation order made pursuant to W.S. 20-2-202.

9  
10         **Section 2.** This act shall apply to all actions to  
11 establish custody in a proceeding filed on or after July 1,  
12 2019.

13  
14         **Section 3.** This act is effective July 1, 2019.

15  
16                                 ( END )