

2004 SESSION

INTRODUCED

040765772

SENATE BILL NO. 510

Offered January 14, 2004

Prefiled January 14, 2004

A BILL to amend and reenact §§ 20-146.13 and 20-146.14 of the Code of Virginia, relating to the Uniform Child Custody Jurisdiction and Enforcement Act.

Patrons—Mims (By Request); Delegate: Reese (By Request)

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That §§ 20-146.13 and 20-146.14 of the Code of Virginia are amended and reenacted as follows:

§ 20-146.13. Exclusive, continuing jurisdiction.

A. Except as otherwise provided in § 20-146.15, a court of this Commonwealth that has made a child custody determination consistent with § 20-146.12 or § 20-146.14 has exclusive, continuing jurisdiction as long as the child, ~~the child's parents~~ *or a parent*, or any person acting as a parent ~~continue~~ *continues* to live in this Commonwealth.

B. A court of this Commonwealth that has made a child custody determination and does not have exclusive, continuing jurisdiction under this section may modify that determination only if it has jurisdiction to make an initial determination under § 20-146.12.

§ 20-146.14. Jurisdiction to modify determination.

Except as otherwise provided in § 20-146.15, a court of this Commonwealth may not modify a child custody determination made by a court of another state unless a court of this Commonwealth has jurisdiction to make an initial determination under subdivision A 1 or A 2 of § 20-146.12 and:

1. The court of the other state determines that it no longer has exclusive, continuing jurisdiction under § 20-146.13 or that a court of this Commonwealth would be a more convenient forum under § 20-146.18; or

2. A court of this Commonwealth or a court of the other state determines that neither the child, ~~the child's parents~~ *nor a parent*, nor any person acting as a parent presently reside in the other state.

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