

VIRGINIA ACTS OF ASSEMBLY -- 2016 SESSION

CHAPTER 179

An Act 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; exclusive, continuing jurisdiction.

[H 497]

Approved March 1, 2016

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 the~~ 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~~ *a parent of the child*, or any person acting as a parent ~~of the child~~ *continue continues* to live in ~~this the~~ Commonwealth.

B. A court of ~~this the~~ 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 the~~ Commonwealth may not modify a child custody determination made by a court of another state unless a court of ~~this the~~ 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 the~~ Commonwealth would be a more convenient forum under § 20-146.18; or

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