

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Metz offered the following:

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3 **Amendment to Amendment (334303)**

4 Remove lines 296-337 of the amendment and insert:  
5 who is not a family member with whom the child has a close and  
6 substantial relationship. In the case of an adult who is not a  
7 family member with whom the child has a close and substantial  
8 relationship, the best interest of the child must be established  
9 by clear and convincing evidence.

10 (2) Unless a grant of caretaking authority to a nonparent  
11 is agreed to by the other parent, the grant is limited to an  
12 amount of time that may not exceed:

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13        (a) The amount of time granted to the deploying parent  
14 under a permanent custody order; however, the court may add  
15 travel time necessary to transport the child; or

16        (b) In the absence of a permanent custody order that is  
17 currently in effect, the amount of time the deploying parent  
18 habitually cared for the child before being notified of  
19 deployment; however, the court may add travel time necessary to  
20 transport the child.

21        (3) If, due to the operational constraints of the  
22 deployment, or a portion thereof, the deploying parent is unable  
23 to exercise decisionmaking authority and if it is in the best  
24 interest of the child, a court may grant part of that authority  
25 to a nonparent who is an adult family member of the child or an  
26 adult who is not a family member with whom the child has a close  
27 and substantial relationship. In the case of an adult who is not  
28 a family member with whom the child has a close and substantial  
29 relationship, the best interest of the child must be established  
30 by clear and convincing evidence. A grant of decisionmaking  
31 authority to a nonparent must be narrowly drawn to the  
32 reasonably foreseeable needs of the child during the time that  
33 the deploying parent is unable to exercise such authority and  
34 must consider the role of the other parent. If a court grants  
35 the authority to a nonparent, the court shall specify the  
36 decisionmaking powers granted and the duration of such grant,  
37 which shall not exceed the length of time in which the deploying

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38 parent is unable to exercise decisionmaking authority. Except as  
39 otherwise specified in this subsection, the deploying parent  
40 retains his or her decisionmaking authority for the child during  
41 deployment.

42 61.741 Grant of limited contact.—A court shall grant  
43 limited contact to a nonparent who is a family member of the  
44 child or an individual who is not a family member with whom the  
45 child has a close and substantial relationship on motion of a  
46 deploying parent and in accordance with general law unless the  
47 court finds that limited contact with a nonparent would not be  
48 in the best interest of the child. In the case of an adult who  
49 is not a family member with whom the child has a

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