1	HOUSE OF REPRESENTATIVES - FLOOR VERSION
2	STATE OF OKLAHOMA
3	1st Session of the 59th Legislature (2023)
4	HOUSE BILL 2137 By: McDugle
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7	AS INTRODUCED
8	An Act relating to marriage; amending 43 O.S. 2021, Sections 150.1 and 150.3, which relate to the
9	Deployed Parents Custody and Visitation Act; modifying definition; providing for the designation
10	of certain individuals to exercise visitation rights under certain circumstances; and providing an
11	effective date.
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14	BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
15	SECTION 1. AMENDATORY 43 O.S. 2021, Section 150.1, is
16	amended to read as follows:
17	Section 150.1 As used in the Deployed Parents Custody and
18	Visitation Act:
19	1. "Civilian personnel" means direct-hire, permanent civilian
20	employees of the Department of Defense;
21	2. "Close and substantial relationship" means a relationship in
22	which a bond has been forged between the child and the other person
23	by regular contact or communication;
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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 <u>or duty stations</u> and who is deployed or, has been
notified of an impending deployment, or is actively serving in a
duty station outside of the parent's home city;

9 5. "Deployment" means the temporary transfer of a 10 servicemember, civilian personnel or contractor serving in 11 designated combat zones in compliance with official orders to 12 another location in support of combat, contingency operation, or 13 natural disaster requiring the use of orders for a period of more 14 than thirty (30) consecutive days, during which family members are 15 not authorized to accompany the servicemember at government expense. 16 Deployment shall include any period during which a servicemember, 17 civilian personnel or contractor serving in designated combat zones 18 is absent from duty on account of sickness, wounds, leave or other 19 lawful cause, and shall also include any transfer pursuant to 20 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

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1 include a limited guardian, but shall not include a guardian ad
2 litem;

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

6 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
- 9 b. the active or reserve components of the National
 10 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.

14SECTION 2.AMENDATORY43 O.S. 2021, Section 150.3, is15amended to read as follows:

16 Section 150.3 A. In order to ensure an ongoing relationship with the child while deployed or while serving in a duty station 17 18 outside of the parent's home city, pursuant to the Deployed Parents 19 Custody and Visitation Act, upon application to the court by the 20 deploying parent, the court shall designate a family member or 21 another person with a close and substantial relationship to the 22 child to exercise his or her visitation rights, unless the court 23 determines it is not in the best interests of the child.

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1	B. Visitation awarded pursuant to this section derives from the
2	deploying parent's own right to custodial responsibility. Neither
3	this section nor a court order permitting designation shall be
4	deemed to create any separate or permanent rights to visitation.
5	SECTION 3. This act shall become effective November 1, 2023.
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7	COMMITTEE REPORT BY: COMMITTEE ON VETERANS AND MILITARY AFFAIRS, dated 02/08/2023 - DO PASS.
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