

Offered: 2/10/82

Original sponsors: Miller and  
Clocksin

1 IN THE HOUSE

BY THE RULES COMMITTEE

2 SENATE CS FOR HOUSE BILL NO. 532 (Rules)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the award of visitation rights to  
7 grandparents and other persons."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 09.55.205 is amended to read:

10 Sec. 09.55.205. JUDGMENTS FOR CUSTODY. (a) In an action for  
11 divorce or for legal separation the court may, if it has jurisdiction  
12 under AS 25.30.020, and is an appropriate forum under AS 25.30.050 and  
13 25.30.060, during the pendency of the action, or at the final hearing or  
14 at any time thereafter during the minority of a [ANY] child of the  
15 marriage, make, modify or vacate an order for the custody of or visita-  
16 tion with the minor child that [WHICH] may seem necessary or proper,  
17 including an order that provides for visitation by a grandparent or  
18 other person if that is in the best interests of the child [AND MAY AT  
19 ANY TIME MODIFY OR VACATE THE ORDER].

20 (b) If [ANY APPOINTMENT OF] a guardian ad litem for a child is  
21 appointed, the appointment shall be made under the terms of AS 09.65.-  
22 130(c) [AS 09.65.130].

23 (c) The court shall determine custody in accordance with the best  
24 interests of the child. Neither parent is entitled to preference as a  
25 matter of right in awarding custody of the child. In determining the  
26 best interests of the child the court shall consider all relevant factors  
27 including:

28 (1) the physical, emotional, mental, religious and social  
29 needs of the child;

1 (2) the capability and desire of each parent to meet these  
2 needs;

3 (3) the child's preference;

4 (4) the love and affection existing between the child and  
5 each parent;

6 (5) the length of time the child has lived in a stable,  
7 satisfactory environment and the desirability of maintaining continuity;

8 (6) the desire and ability of each parent to allow an open  
9 and loving frequent relationship between the child and his other parent.

10 \* Sec. 2. AS 09.55.231(a)(2) is amended to read:

11 (2) if there are minor children of the marriage or the wife  
12 is pregnant, the spouses have agreed on which spouse or third party  
13 shall be awarded custody of each minor child of the marriage and the  
14 extent of visitation, including visitation by grandparents and other  
15 persons, and support to be provided on the children's behalf, whether  
16 the payments are to be made through the child support enforcement agency  
17 and the tax consequences of that agreement;