

Original sponsors: Miller and  
Clocksin

Offered: 2/10/82

1 IN THE HOUSE

BY THE RULES COMMITTEE

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

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 or for placement of a child when one or  
12 both parents have died, the court may, if it has jurisdiction under  
13 AS 25.30.020, and is an appropriate forum under AS 25.30.050 and 25.30.-  
14 060, during the pendency of the action, or at the final hearing or at  
15 any time thereafter during the minority of a [ANY] child of the mar-  
16 riage, make, modify or vacate an order for the custody of or visitation  
17 with the minor child that [WHICH] may seem necessary or proper, includ-  
18 ing an order that provides for visitation by a grandparent or other per-  
19 son if that is in the best interests of the child [AND MAY AT ANY TIME  
20 MODIFY OR VACATE THE ORDER].

21 (b) If [ANY APPOINTMENT OF] a guardian ad litem for a child is  
22 appointed, the appointment shall be made under the terms of AS 09.65.-  
23 130(c) [AS 09.65.130].

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

29 (1) the physical, emotional, mental, religious and social

needs of the child;

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

(3) the child's preference;

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

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

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

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

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