

Introduced: 1/22/86
Referred: Health, Education &
Social Services and Judiciary

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 497

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to a child's birth certificate,
7 parental responsibilities for a child's actions, and
8 child custody; and providing for an effective date."

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

10 * Section 1. AS 09.65.110(b) is amended to read:

11 (b) Either parent, or both parents, or the legal guardian, or
12 the [A] person having legal custody of an unemancipated minor who
13 shoplifts merchandise is liable in a civil action to the owner or
14 seller of the merchandise for both of the following:

15 (1) a penalty equal to the retail value of the merchandise
16 or \$500, whichever is less; and

17 (2) a penalty of not less than \$100 or more than \$200.

18 * Sec. 2. AS 25.20.060 is amended to read:

19 Sec. 25.20.060. CUSTODY OF THE CHILD. (a) If there is a dis-
20 pute over child custody, either parent may petition the superior court
21 for resolution of the matter under AS 25.20.060 -- 25.20.130. The
22 court shall award custody on the basis of the best interests of the
23 child in either a disputed or undisputed case. In determining the
24 best interests of the child, the court shall solicit information
25 regarding [CONSIDER ALL] relevant factors in determining the award of
26 custody, including information about the [THOSE] factors enumerated in
27 AS 25.24.150(c) and information about any understanding regarding
28 custody reached between the parents.

29 (b) Neither parent, regardless of the question of the child's

1 legitimacy, is entitled to preference in the awarding of custody.

2 (c) The court may award shared custody to both parents if shared
3 custody is determined by the court to be in the best interests of the
4 child. An award of shared custody must [SHALL] assure that the child
5 has frequent and continuing contact with each parent to the maximum
6 extent possible.

7 (d) An award of shared custody does not eliminate the duty of
8 child support, nor does shared custody alone constitute grounds for
9 modification of a support order.

10 (e) In awarding custody, the court shall consider only those
11 factors that directly affect the well-being of the child.

12 * Sec. 3. AS 25.20.100 is amended to read:

13 Sec. 25.20.100. [DENIAL OF] SHARED CHILD CUSTODY. If a parent
14 or the guardian ad litem requests shared custody of a child and the
15 court awards or denies the request, the reasons for the award or
16 denial must [SHALL] be stated on the record, including the court's
17 reasoning on each of the factors enumerated in AS 25.24.150(c).

18 * Sec. 4. AS 18.50.160(f) is repealed.

19 * Sec. 5. This Act takes effect immediately in accordance with AS 01.-
20 10.070(c).