

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1669

H.P. 1178

House of Representatives, March 26, 1997

An Act Regarding the Relocation of a Child by a Parent Having Primary Physical Custody.

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative PLOWMAN of Hampden.
Cosponsored by Representatives: CAMPBELL of Holden, LANE of Enfield, MADORE of Augusta.

Be it enacted by the People of the State of Maine as follows:

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Sec. 1. 19-A MRSA §1657, sub-§2, ¶A, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

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A. The relocation, or intended relocation, of a child resident in this state State to another state residence by a parent, when the other parent is a resident of this State and there exists an award of shared or allocated parental rights and responsibilities concerning the child; or

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Sec. 2. 19-A MRSA §1657, sub-§2-A is enacted to read:

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2-A. Mandatory petition for modification. A parent relocating or intending to relocate a child as described in subsection 2, paragraph A may not relocate the child unless the parent petitions the court to modify the order for parental rights and responsibilities and the court orders a modification permitting the relocation. If the court modifies the order to permit the relocation, the parent relocating the child shall pay the costs of transporting the child for the purpose of court-ordered parent-child contact with the other parent.

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Sec. 3. Effective date. This Act takes effect October 1, 1997.

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SUMMARY

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This bill makes any change in residence of a child a substantial change in circumstances under the domestic relations law pertaining to court-ordered parental rights and responsibilities. The bill requires a parent seeking to relocate a child to petition the court for permission to proceed with the relocation. If the court permits the relocation, the parent relocating the child is required to pay transportation costs for maintaining court-ordered contact between the child and the other parent.

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