

HCS HB 1667 -- CHILD CUSTODY ARRANGEMENTS

SPONSOR: Swan

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Judiciary by a vote of 10 to 0. Voted "Do Pass" by the Rules- Legislative Oversight Committee by a vote of 8 to 1.

Currently, the court must determine custody that is in the best interest of the child. This bill establishes, except in paternity actions, a rebuttable presumption that an award of equal or approximately equal parenting time is in the best interest of the child, unless a preponderance of the evidence exists, as specified in these provisions. The bill clarifies that parenting time has the same meaning as visitation.

This bill is similar to HCS HB 724 (2017).

PROPOSERS: Supporters say that it is only fair for equal parenting time for both parents to be considered in the best interest of the child, unless there is some evidence showing that one parent is not fit. Oftentimes, courts will still automatically presume that mothers are the best parents and that fathers are not as fit to parent. Fathers should not have to spend endless hours in court and spend tons of money just to prove that they are equally fit to care for their children. It is an unjust and inconsistent system.

Testifying for the bill were Representative Swan; Jeffrey A. J. Millar; Dylan Carpenter; Maddie Conner; Ken Goins; Jeffrey King; Mark Ludwig; Linda Reutzler; Kaylyn Morris; and Jeremy Roberts.

OPPOSERS: Those who oppose the bill say that there are a lot of domestic abuse cases that are not addressed here. We already have a provision requiring custody to be in the best interest of the child, so we do not need to change that. There are many mothers who have been abused and have a very difficult time getting away from the abusive fathers/husbands.

Testifying against the bill was the Missouri Coalition Against Domestic and Sexual Violence.