House Study Bill 117 - Introduced

A BILL FOR

1 An Act relating to violation of a visitation order or a
2   parenting plan.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. <u>NEW SECTION</u>. **598.41E Violation of visitation**
2 **order or parenting plan —— substantial change in circumstances.**
3 1. The violation by a parent of a visitation order or a
4 parenting plan resulting in disruption of the court-ordered
5 visitation or parenting plan schedule shall be considered a
6 factor in determining the best interest of the child in any
7 modification proceeding if the parent's decision not to comply
8 was unilateral, the circumstances did not involve an emergency
9 situation, and no reasonable attempt was made by the parent
10 prior to the noncompliance to reschedule time with the other
11 parent.
12 2. An established pattern of violations involving a
13 visitation order or parenting plan described in subsection 1
14 shall be considered a substantial change in circumstances and
15 grounds for modification.
16 EXPLANATION
17 **The inclusion of this explanation does not constitute agreement with**
18 **the explanation's substance by the members of the general assembly.**
19 This bill provides that if a parent violates a visitation
20 order or parenting plan and the violation results in disruption
21 of the court-ordered visitation or parenting plan schedule,
22 the violation shall be considered a factor in determining the
23 best interest of the child in any modification proceeding
24 if the parent's decision not to comply was unilateral, the
25 circumstances did not involve an emergency, and no reasonable
26 attempt was made by the parent prior to the noncompliance to
27 reschedule time with the other parent. An established pattern
28 of violations involving a visitation order or parenting plan is
29 considered a substantial change in circumstances and grounds
30 for modification.