

Senate Bill 869

Sponsored by Senator THATCHER; Senators GELSER, STEINER HAYWARD, TAYLOR

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits court from allocating parenting time with child to parent if parent has been convicted of rape that resulted in conception of child.

A BILL FOR AN ACT

Relating to parenting time of parent convicted of rape; amending ORS 107.102.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 107.102 is amended to read:

107.102. (1) In any proceeding to establish or modify a judgment providing for parenting time with a child, except for matters filed under ORS 107.700 to 107.735, there shall be developed and filed with the court a parenting plan to be included in the judgment. A parenting plan may be either general or detailed.

(2) A general parenting plan may include a general outline of how parental responsibilities and parenting time will be shared and may allow the parents to develop a more detailed agreement on an informal basis. However, a general parenting plan must set forth the minimum amount of parenting time and access a noncustodial parent is entitled to have.

(3) A detailed parenting plan may include, but need not be limited to, provisions relating to:

- (a) Residential schedule;
- (b) Holiday, birthday and vacation planning;
- (c) Weekends, including holidays, and school in-service days preceding or following weekends;
- (d) Decision-making and responsibility;
- (e) Information sharing and access;
- (f) Relocation of parents;
- (g) Telephone access;
- (h) Transportation; and
- (i) Methods for resolving disputes.

(4)(a) The court shall develop a detailed parenting plan when:

- (A) So requested by either parent; or
- (B) The parent or parents are unable to develop a parenting plan.

(b) In developing a parenting plan under this subsection, **the following provisions apply:**

(A) The court may consider only the best interests of the child and the safety of the parties.

(B) The court may not allocate parenting time with a child to a parent if the court is prohibited from awarding custody of the child to the parent under ORS 107.137 (6).

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.