

House Bill 1268

By: Representative Hugley of the 133rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 19-9-1 of the Official Code of Georgia Annotated, relating to the
2 procedure for determining custody of children, so as to allow third parties to be considered
3 for custody of a child without the necessity of the parents being declared unfit; to provide for
4 related matters; to provide for an effective date; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 19-9-1 of the Official Code of Georgia Annotated, relating to the procedure for
9 determining custody of children, is amended by designating existing subsection (d) as
10 subsection (e) and inserting a new subsection (d) to read as follows:

11 "(d) In any case in which custody of a child who has not reached the age of 14 years is
12 being decided, the court may, in its discretion, award custody to a third party who is not a
13 parent of the child, even when neither parent has been found to be unfit, when the
14 circumstances show that the child's best interest would be best served by an award of
15 custody to the third party."

16 **SECTION 2.**

17 This Act shall become effective upon its approval by the Governor or upon its becoming law
18 without such approval.

19 **SECTION 3.**

20 All laws and parts of laws in conflict with this Act are repealed.