

Senate Bill 550

By: Senators Mullis of the 53rd, Cowser of the 46th, Harp of the 29th, Schaefer of the 50th,
Wiles of the 37th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 19-9-3 of the Official Code of Georgia Annotated, relating to the
2 discretion of the judge in child custody disputes, so as to provide that residing with or
3 marrying a person who is registered on the state sexual offender registry shall, in and of
4 itself, constitute a change of material condition or circumstance; to provide for related
5 matters; to provide for an effective date and applicability; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 19-9-3 of the Official Code of Georgia Annotated, relating to the discretion of
10 the judge in child custody disputes, is amended by revising subsection (b) as follows:

11 "(b) In any case in which a judgment awarding the custody of a child has been entered, on
12 the motion of any party or on the motion of the judge, that portion of the judgment
13 effecting visitation rights between the parties and their child or parenting time may be
14 subject to review and modification or alteration without the necessity of any showing of
15 a change in any material conditions and circumstances of either party or the child, provided
16 that the review and modification or alteration shall not be had more often than once in each
17 two-year period following the date of entry of the judgment. However, this subsection
18 shall not limit or restrict the power of the judge to enter a judgment relating to the custody
19 of a child in any new proceeding based upon a showing of a change in any material
20 conditions or circumstances of a party or the child. A party's action of residing with or
21 marrying a person who is registered on the state sexual offender registry shall, in and of
22 itself, constitute a change of material condition or circumstance in any action seeking a
23 modification or change in the custody of that child."

1 **SECTION 2.**

2 This Act shall become effective on July 1, 2008, and shall apply to all child custody,
3 visitation, and parenting time orders in effect on or after July 1, 2008.

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.