

Senate Bill 145

By: Senators Mullis of the 53rd, Unterman of the 45th, Thomas of the 54th, Butterworth of the 50th, Hamrick of the 30th 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 a short title;  
5 to provide for related matters; to provide for an effective date and applicability; to repeal  
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as "The Reed Act."

10 **SECTION 2.**

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

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

26 **SECTION 3.**

27 This Act shall become effective on July 1, 2009, and shall apply to all child custody,  
28 visitation, and parenting time orders in effect on or after July 1, 2009.

29 **SECTION 4.**

30 All laws and parts of laws in conflict with this Act are repealed.