

The Senate Committee on Judiciary offered the following substitute to HB 52:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 19-9-1 of the Official Code of Georgia Annotated, relating to
2 parenting plans, so as to change provisions requiring parenting plans to be incorporated into
3 final orders involving the custody of a child; to provide for related matters; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

6 Code Section 19-9-1 of the Official Code of Georgia Annotated, relating to parenting plans,
7 is amended by revising subsections (a) and (c) and the introductory language to paragraphs
8 (1) and (2) of subsection (b) as follows:
9

10 "(a) Except when a parent seeks emergency relief for family violence pursuant to Code
11 Section 19-13-3 or 19-13-4, in all cases in which the custody of any child is at issue
12 between the parents, each parent shall prepare a parenting plan or the parties may jointly
13 submit a parenting plan. It shall be in the ~~judge's~~ court's discretion as to when a party shall
14 be required to submit a parenting plan to the ~~judge~~ court. A parenting plan shall be
15 required for permanent custody and modification actions and in the ~~judge's~~ court's
16 discretion may be required for temporary hearings. The final ~~decree~~ order in any legal
17 action involving the custody of a child, including modification actions, shall incorporate
18 a permanent parenting plan as further set forth in this Code section; provided, however, that
19 unless otherwise ordered by the court, a separate court order exclusively devoted to a
20 parenting plan shall not be required.

21 (b)(1) Unless otherwise ordered by the ~~judge~~ court, a parenting plan shall include the
22 following:"

23 "(2) Unless otherwise ordered by the ~~judge~~ court, or agreed upon by the parties, a
24 parenting plan shall include, but not be limited to:"

25 "(c) If the parties cannot reach agreement on a permanent parenting plan, each party shall
26 file and serve a proposed parenting plan on or before the date set by the ~~judge~~ court.

27 Failure to comply with filing a parenting plan may result in the ~~judge~~ court adopting the
28 plan of the opposing party if the judge finds such plan to be in the best interests of the
29 child."

30 **SECTION 2.**
31 All laws and parts of laws in conflict with this Act are repealed.