

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
91st General Assembly  
Regular Session, 2017

As Engrossed: H3/14/17

# A Bill

HOUSE BILL 2058

By: Representative Hammer

## For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING ADOPTION, CHILD  
PLACEMENT AND CUSTODY, AND THE RIGHTS OF  
GRANDPARENTS; AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND THE LAW CONCERNING ADOPTION,  
CHILD PLACEMENT AND CUSTODY, AND THE  
RIGHTS OF GRANDPARENTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

*SECTION 1. Arkansas Code Title 9, Chapter 13, Subchapter 1, is amended to add an additional section to read as follows:*

*9-13-111. Custody rights of grandparents – Definitions.*

*(a) For purposes of this section:*

*(1) "Child" means the same as defined under § 9-13-107; and*

*(2) "Petitioner" means an individual who may petition for custody of a child under this section.*

*(b)(1) A grandparent or great-grandparent may petition a court for change of custody of a child whose parents have deserted the child without affording means of identification or have abandoned the child if before the date on which the petition is filed the:*

*(A) Child has not been placed in the custody of the Department of Human Services; and*

*(B) Department has not received a report concerning the desertion or abandonment of the child by the child's parents.*

*(2)(A) A court may grant a petition for change of custody of a*



child under this section if it is in the best interest of the child.

(B) The court shall not deny a petition for change of custody of a child under this section based solely on the department's receipt of a report concerning the desertion or abandonment of the child by the child's parents or the child being placed in the custody of the department after the petition is filed.

(3)(A) A petition for change of custody of a child under this section shall be served on the parents or the respective attorneys of the parents of the child who is the subject of the petition.

(B) A parent who is served with a petition for change of custody of a child under this section may file an objection to the petition.

(c) A petitioner's home is not required to be approved as a regular foster home or provisional foster home of the department before a petition for change of custody of a child under this section may be granted by the court.

(d)(1) The court may order a criminal records check through the Arkansas Crime Information Center, including a check of the sex offender registry under the Sex Offender Registration Act of 1997, 12-12-901 et seq., and a child maltreatment check of a petitioner.

(2) The petitioner shall be responsible for paying all costs associated with the criminal records check and the child maltreatment check.

/s/Hammer