

Senate Bill 869

Sponsored by Senator THATCHER; Senators GELSER, STEINER HAYWARD, TAYLOR

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits court from allocating parenting time with child to parent if parent has been convicted of rape that resulted in conception of child.

A BILL FOR AN ACT

1
2 Relating to parenting time of parent convicted of rape; amending ORS 107.102.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 107.102 is amended to read:

5 107.102. (1) In any proceeding to establish or modify a judgment providing for parenting time
6 with a child, except for matters filed under ORS 107.700 to 107.735, there shall be developed and
7 filed with the court a parenting plan to be included in the judgment. A parenting plan may be either
8 general or detailed.

9 (2) A general parenting plan may include a general outline of how parental responsibilities and
10 parenting time will be shared and may allow the parents to develop a more detailed agreement on
11 an informal basis. However, a general parenting plan must set forth the minimum amount of par-
12 enting time and access a noncustodial parent is entitled to have.

13 (3) A detailed parenting plan may include, but need not be limited to, provisions relating to:

- 14 (a) Residential schedule;
15 (b) Holiday, birthday and vacation planning;
16 (c) Weekends, including holidays, and school in-service days preceding or following weekends;
17 (d) Decision-making and responsibility;
18 (e) Information sharing and access;
19 (f) Relocation of parents;
20 (g) Telephone access;
21 (h) Transportation; and
22 (i) Methods for resolving disputes.

23 (4)(a) The court shall develop a detailed parenting plan when:

- 24 (A) So requested by either parent; or
25 (B) The parent or parents are unable to develop a parenting plan.

26 (b) In developing a parenting plan under this subsection, **the following provisions apply:**

27 **(A)** The court may consider only the best interests of the child and the safety of the parties.

28 **(B) The court may not allocate parenting time with a child to a parent if the court is**
29 **prohibited from awarding custody of the child to the parent under ORS 107.137 (6).**
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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.