

Moved by Darrington

Seconded by Davis

IN THE SENATE
SENATE AMENDMENT TO S.B. NO. 1382

AMENDMENT TO SECTION 1

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2 On page 2 of the printed bill, in line 1, delete "or"; in line 2, delete
3 "affinity"; in line 4, following "child" insert: "has resided with the in-
4 dividual without a parent present and with a lack of demonstrated consistent
5 participation by a parent"; following line 9, insert:

6 "(c) For purposes of the definition in this section, "lack of demon-
7 strated consistent participation" by a parent means refusal or failure
8 to comply with the duties imposed upon the parent by the parent-child
9 relationship. When determining a "lack of demonstrated consistent
10 participation," the court may consider parent involvement in providing
11 the child necessary food, clothing, shelter, health care and education
12 and in creating a nurturing and consistent relationship for the child's
13 physical, mental or emotional health and development.

14 (2) In determining if a petitioner or intervenor is a de facto custodian
15 for the child, the court shall also take into consideration whether the child
16 is currently residing with the petitioner or intervenor and, if not, the
17 length of time since the child resided with the petitioner or intervenor.";
18 in line 10, delete "(2)" and insert: "(3)"; in line 14, delete "(3)" and
19 insert: "(4)"; and on page 3, in line 37, delete "appointment" and insert:
20 "qualification".

AMENDMENT TO SECTION 3

21 On page 5, in line 36, delete "32-1703" and insert: "32-1705".
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