

HB 1660 -- UNIFORM CHILD ABDUCTION PREVENTION ACT

SPONSOR: Hausman

Currently, a court may communicate with a court in another state concerning proceedings arising out of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). This bill allows this communication with proceedings arising out of the "Uniform Child Abduction Prevention Act" as established in this bill. The bill also modifies the procedure when seeking enforcement of a child custody determination under UCCJEA.

The bill establishes the "Uniform Child Abduction Prevention Act". The Act specifies that parties to a child custody determination, as defined in the bill, can petition the court seeking abduction prevention measures to protect the child. The petition must be filed in a court with jurisdiction to make child custody determinations. Missouri courts will have temporary emergency jurisdiction under Section 452.755, RSMo if the court finds a credible risk of abduction. This bill also identifies the procedure for filing such a petition and the information that should be included.

Furthermore, a court on its own motion can order abduction prevention measures in a child custody proceeding if it finds evidence that there is a credible risk of the child being abducted. The bill specifies the factors the court must consider when determining whether there is a credible risk of abduction. The bill also specifies what a court order must include, especially when the court enters an abduction prevention order.

To prevent imminent abduction of a child, a court may:

- (1) Issue a warrant to take physical custody of the child;
- (2) Direct the use of law enforcement to take any action reasonably necessary to locate the child, obtain return of the child, or enforce a custody determination as described in this bill; or
- (3) Grant any other relief allowed under the law.

If an abduction prevention order is granted and does not have a specified time period the order will terminate when the child is emancipated, attains the age of 18, or the order is modified or revoked.

Provisions in this bill modify, limit, and supersede the federal Electronic Signatures in Global and National Commerce Act, 15

U.S.C. Section 7001, et seq., but do not modify, limit, or supersede Section 101(c) of the Act, 15 U.S.C. Section 7001(c), or authorize electronic delivery of any of the notices described in Section 103(b) of that Act, 15 U.S.C. Section 7003(b).

This bill is similar to HCS HB 1058 and 1151 (2023), and HB 2026 (2022).