

HCS HBs 1025 & 381 -- CUSTODY OF CHILDREN

SPONSOR: Dolan

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Children and Families by a vote of 14 to 0. Voted "Do Pass" by the Standing Committee on Rules-Administrative by a vote of 10 to 0.

The following is a summary of the House Committee Substitute for HB 1025.

This bill specifies that, when a court finds both parents of a child equally unfit, unsuitable, or unable to be the child's custodian and finds that it would be in the best interests of the child to be in the custody of a third party, priority must be given to the grandparent or grandparents of the child.

This bill is the same as HB 381 (2025) and similar to HB 1638 (2024).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that this codifies what is current practice for family court judges, who tend to give priority to the grandparents when the situation permits, and this gives them in print a reason to do so. Grandparents frequently make better custodians than third-party options as they have a strong and established bond, can provide stability, and can be more readily available to care for the child. It isn't an automatic guarantee either, as it needs to be weighed against and considered for what is in the child's best interest.

Testifying in person for the bill were Representative Dolan and Representative Terry.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.