

SENATE FILE NO. SF0013

Temporary delegation of parental authority.

Sponsored by: Joint Transportation, Highways & Military
Affairs Interim Committee

A BILL

for

1 AN ACT relating to children; providing that a parent or
2 guardian may temporarily delegate parental authority to
3 another person; specifying exceptions; specifying
4 limitations; and providing for an effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 3-2-401 and 14-2-207 are created to
9 read:

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11

ARTICLE 4

12

TEMPORARY DELEGATION OF PARENTAL AUTHORITY

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3-2-401. Temporary delegation of parental authority.

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1 (a) A parent or a guardian of a minor, incompetent
2 person or ward, by a properly executed power of attorney
3 delivered to the delegatee, may delegate to that delegatee,
4 for a period not exceeding six (6) months, except as
5 provided in subsection (b) of this section, any of the
6 parent's or guardian's powers regarding care and custody of
7 the minor, incompetent person or ward, except that no
8 parent or guardian shall delegate the power to consent to
9 marriage or adoption.

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11 (b) A member of any branch or service of the military
12 who is a parent or guardian of a minor, incompetent person
13 or ward may execute a power of attorney pursuant to this
14 section for not more than two (2) years.

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16 (c) A delegation of powers pursuant to this section
17 shall not:

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19 (i) Diminish or limit the rights of any
20 non-delegating parent or guardian to direct the care and
21 custody of the minor, incompetent person or ward, if the
22 non-delegating parent's or guardian's rights have not
23 otherwise been terminated or relinquished as provided by

1 law. If parents share legal custody and only one (1)
2 delegates rights, the delegation will only affect the
3 delegating parent's own parental authority regarding care
4 and custody of the child and the delegatee shall only make
5 day-to-day decisions and shall not be able to make
6 decisions that would impact major issues such as changing
7 school, religious training, or non-routine medical care. If
8 a parent is present to make decisions for the child, a
9 delegatee may not interfere;

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11 (ii) Affect any parental or legal authority
12 otherwise limited by a court order;

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14 (iii) Affect or limit the power of any court
15 under this title to appoint any guardian or conservator for
16 a child, incompetent person, or ward.

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18 (d) The execution of a power of attorney by a parent
19 or guardian pursuant to this section shall not be evidence
20 of abandonment, abuse or neglect as defined in W.S.
21 14-3-202.

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1 (e) A parent or guardian executing a delegation of
2 authority under subsection (a) or (b) of this section may
3 withdraw or revoke that delegation at any time by giving
4 written notice to the delegatee.

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6 **14-2-207. Temporary delegation of parental authority.**

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8 A parent may delegate that parent's own parental authority
9 to another person as provided by W.S. 3-2-401.

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11 **Section 2.** This act is effective July 1, 2022.

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(END)