

## HOUSE BILL NO. HB0083

Child custody-sex offense conviction presumption.

Sponsored by: Representative(s) Pendergraft, Angelos,  
Brady, Haroldson, Kelly and Knapp and  
Senator(s) Hutchings

A BILL

for

1 AN ACT relating to domestic relations; specifying a  
2 rebuttable presumption that no sex offender shall have  
3 unsupervised visitation with a child; requiring  
4 consideration of sex-related convictions when considering  
5 the best interests of a child in custody determinations  
6 upon divorce; and providing for an effective date.

7

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

9

10 **Section 1.** W.S. 20-2-201(a) by creating a new  
11 paragraph (x) and by renumbering (x) as (xi) and 20-2-202  
12 by creating a new subsection (b) are amended to read:

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1           **20-2-201. Disposition and maintenance of children in**  
2 **decree or order; access to records.**

3  
4           (a) In granting a divorce, separation or annulment of  
5 a marriage or upon the establishment of paternity pursuant  
6 to W.S. 14-2-401 through 14-2-907, the court may make by  
7 decree or order any disposition of the children that  
8 appears most expedient and in the best interests of the  
9 children. In determining the best interests of the child,  
10 the court shall consider, but is not limited to, the  
11 following factors:

12  
13           (x) Whether either parent has a conviction for  
14 which the parent must register as a sex offender under W.S.  
15 7-19-301 through 7-19-310;

16  
17           ~~(x)~~(xi) Any other factors the court deems  
18 necessary and relevant.

19  
20           **20-2-202. Visitation.**

21  
22           (b) When considering an order for visitation, there  
23 shall be a rebuttable presumption that it is not in the

1 best interests of a child to grant unsupervised visitation  
2 to a parent who is required to register as a sex offender  
3 under W.S. 7-19-301 through 7-19-310.

4

5       **Section 2.** This act is effective immediately upon  
6 completion of all acts necessary for a bill to become law  
7 as provided by Article 4, Section 8 of the Wyoming  
8 Constitution.

9

10 (END)