

**FORTY-NINTH LEGISLATURE
FIRST SESSION, 2009**

February 18, 2009

Mr. Speaker:

Your **JUDICIARY COMMITTEE**, to whom has been referred

HOUSE BILL 150

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 5, line 9, strike "and".

2. On page 5, between lines 9 and 10, insert the following new subsection:

"F. a statement of whether a party or other individual having custody of the child has sought the assistance of a domestic violence shelter and, if known, the approximate date and name of the person seeking the assistance of the shelter; and".

3. Reletter the succeeding subsection accordingly.

4. On page 8, between lines 23 and 24, insert the following new subsection:

"C. In applying the provisions of the Uniform Child Abduction Prevention Act, a court shall consider that abusers abduct their children before as well as during and after custody litigation. The court shall also consider that some of the risk factors set forth in Subsection A of this section involve the same activities that might be undertaken by a victim of domestic violence who is trying to relocate or flee to escape abuse. If the evidence shows that the parent preparing to leave is fleeing domestic violence, the court shall consider that any order restricting departure or transferring custody may pose safety issues for the victim and the child.".

5. On page 14, between lines 3 and 4, insert the following new subsection:

"G. A court shall not require the disclosure of a confidential communication that is protected by the Victim Counselor Confidentiality Act, the physician-patient privilege or the psychotherapist-patient privilege.".

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6. On page 17, line 4, strike "July 1, 2009" and insert in lieu thereof "January 1, 2010".

Respectfully submitted,

Al Park, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 9 For 0 Against

Yes: 9

No: 0

Excused: Cervantes, Chasey, Kintigh, Martinez, K., Vaughn

Absent: None

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