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H.88

Representative Koch of Barre Town moves that the bill be amended in Sec. 1, 15 V.S.A. § 665b, by striking subsection (a) in its entirety and inserting in lieu thereof the following:

(a)(1) Notwithstanding section 665a of this title and except as otherwise provided in subdivision (2) of this subsection, upon petition of a parent, the Court may award that parent permanent sole parental rights and responsibilities if the Court determines by clear and convincing evidence that the child was conceived as a result of a sexual assault or sexual exploitation in which the moving parent was the victim and the nonmoving parent was the perpetrator.

(2) If a final divorce order has been issued and parental rights and responsibilities were addressed in the divorce action, a party may not bring a petition under this subsection for the purpose of modifying the previous order. The parties retain rights to file for a modification of the order under other provisions in this chapter.