

HB1768



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB1768

by Rep. Tom Cross

SYNOPSIS AS INTRODUCED:

750 ILCS 5/603

from Ch. 40, par. 603

Amends the Illinois Marriage and Dissolution of Marriage Act. Makes a technical change in a Section concerning temporary orders in child custody proceedings.

LRB098 05722 HEP 35761 b

A BILL FOR

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Marriage and Dissolution of
5 Marriage Act is amended by changing Section 603 as follows:

6 (750 ILCS 5/603) (from Ch. 40, par. 603)

7 Sec. 603. Temporary Orders.

8 (a) A party to a custody proceeding, including a proceeding
9 to modify custody, may move for a temporary custody order. The
10 ~~The~~ court may award temporary custody under the standards of
11 Section 602, the standards and procedures of Section 602.1, and
12 the provisions of subsection (f) of Section 610 after a
13 hearing, or, if there is no objection, solely on the basis of
14 the affidavits or the agreement of the parties if the court
15 finds that the parties' agreement is in the best interest of
16 the child.

17 (b) If a proceeding for dissolution of marriage or legal
18 separation or declaration of invalidity of marriage is
19 dismissed, any temporary custody order is vacated unless a
20 parent or the child's custodian moves that the proceeding
21 continue as a custody proceeding and the court finds, after a
22 hearing, that the circumstances of the parents and the best
23 interest of the child requires that a custody judgment be

1 issued.

2 (c) If a custody proceeding commenced in the absence of a
3 petition for dissolution of marriage or legal separation, under
4 either subparagraph (ii) of paragraph (1), or paragraph (2), of
5 subsection (d) of Section 601, is dismissed, any temporary
6 custody order is vacated.

7 (Source: P.A. 97-659, eff. 6-1-12.)