

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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HOUSE DRH60301-LU-58A (3/8)

Short Title: Custody/Best Interest of Child/Factors. (Public)

Sponsors: Representative Hackney.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ADOPT THE BEST INTEREST OF THE CHILD STANDARD UNDER
THE MODEL MARRIAGE AND DIVORCE ACT IN ACTIONS FOR CUSTODY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 50-13.2 is amended by adding the following new subsection to read:

"(a1) Specifically, in awarding custody, the court shall consider the following relevant factors in determining the best interest of the child:

(1) The wishes of the child's parent as to the child's custody.

(2) The wishes of the child as to the child's custodian.

(3) The interaction and interrelationship of the child with his or her parent, siblings, or any other person who may significantly affect the child's best interest.

(4) The child's adjustment to his or her home, school, and community.

(5) The mental and physical health of all individuals involved.

The court shall not consider conduct of a proposed custodian that does not affect the custodian's relationship to the child."

SECTION 2. This act is effective when it becomes law.