

Public Law 105-374
105th Congress

An Act

To amend title 28, United States Code, with respect to the enforcement of child custody and visitation orders.

Nov. 12, 1998
[H.R. 4164]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CHILD CUSTODY.

(a) SECTION 1738A(a).—Section 1738A(a) of title 28, United States Code, is amended by striking “subsection (f) of this section, any child custody determination” and inserting “subsections (f), (g), and (h) of this section, any custody determination or visitation determination”.

(b) SECTION 1738A(b)(2).—Section 1738A(b)(2) of title 28, United States Code, is amended by inserting “or grandparent” after “parent”.

(c) SECTION 1738A(b)(3).—Section 1738A(b)(3) of title 28, United States Code, is amended by striking “or visitation” after “for the custody”.

(d) SECTION 1738A(b)(5).—Section 1738A(b)(5) of title 28, United States Code, is amended by striking “custody determination” each place it occurs and inserting “custody or visitation determination”.

(e) SECTION 1738A(b)(9).—Section 1738A(b) of title 28, United States Code, is amended by striking “and” at the end of paragraph (7), by striking the period at the end of paragraph (8) and inserting “; and”, and by adding after paragraph (8) the following:

“(9) ‘visitation determination’ means a judgment, decree, or other order of a court providing for the visitation of a child and includes permanent and temporary orders and initial orders and modifications.”

(f) SECTION 1738A(c).—Section 1738A(c) of title 28, United States Code, is amended by striking “custody determination” and inserting “custody or visitation determination”.

(g) SECTION 1738A(c)(2)(D).—Section 1738A(c)(2)(D) of title 28, United States Code, is amended by adding “or visitation” after “determine the custody”.

(h) SECTION 1738A(d).—Section 1738A(d) of title 28, United States Code, is amended by striking “custody determination” and inserting “custody or visitation determination”.

(i) SECTION 1738A(e).—Section 1738A(e) of title 28, United States Code, is amended by striking “custody determination” and inserting “custody or visitation determination”.

(j) SECTION 1738A(g).—Section 1738A(g) of title 28, United States Code, is amended by striking “custody determination” and inserting “custody or visitation determination”.

(k) SECTION 1738A(h).—Section 1738A of title 28, United States Code, is amended by adding at the end the following:

“(h) A court of a State may not modify a visitation determination made by a court of another State unless the court of the other State no longer has jurisdiction to modify such determination or has declined to exercise jurisdiction to modify such determination.”.

Approved November 12, 1998.

LEGISLATIVE HISTORY—H.R. 4164:

CONGRESSIONAL RECORD, Vol. 144 (1998):

July 14, considered and passed House.

Oct. 21, considered and passed Senate, amended. House concurred in Senate amendment.