

House Bill 253 (COMMITTEE SUBSTITUTE)

By: Representatives Clark of the 100th, Gaines of the 120th, Jones of the 25th, Evans of the 57th, Kelley of the 16th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 11 of Title 15 and Article 1 of Chapter 9 of Title 19 of the Official Code
2 Georgia Annotated, relating to the juvenile code and general provisions relative to child
3 custody proceedings, so as to enact "Ethan's Law"; to provide limitations on ordering a child
4 to be sent to a family reunification program; to provide for a definition; to provide for related
5 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 This Act shall be known and may be cited as "Ethan's Law."

9 **SECTION 2.**

10 Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to the juvenile
11 code, is amended by adding a new Code section to Article 3, relating to dependency
12 proceedings, to read as follows:

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13 "15-11-202.1.

14 Except as provided by any other provision in this chapter, a court shall not order family
15 reunification or unification treatments, programs, or services, including, but not limited to,
16 camps, workshops, therapeutic vacations, or educational programs."

17 **SECTION 3.**

18 Said chapter is further amended by adding a new paragraph to Code Section 15-11-2, relating
19 to definitions, to read as follows:

20 "(32.2) 'Family reunification or unification treatments, programs, or services' means any
21 treatment, program, or service that provides educational or experiential workshops and
22 operates as or utilizes private youth transporters or private transportation agents, as
23 described in Code Section 15-11-202.1."

24 **SECTION 4.**

25 Article 1 of Chapter 9 of Title 19 of the Official Code of Georgia Annotated, relating to
26 general provisions relative to child custody proceedings, is amended by revising
27 paragraph (2) of subsection (a) of Code Section 19-9-3, relating to establishment and review
28 of child custody and visitation, as follows:

29 "(2) The judge hearing the issue of custody shall make a determination of custody of a
30 child and such matter shall not be decided by a jury. The judge may take into
31 consideration all the circumstances of the case, including the improvement of the health
32 of the party seeking a change in custody provisions, in determining to whom custody of
33 the child should be awarded. The duty of the judge in all such cases shall be to exercise
34 discretion to look to and determine solely what is for the best interest of the child and
35 what will best promote the child's welfare and happiness and to make his or her award
36 accordingly. The judge shall not order family reunification or unification treatments,
37 programs, or services, including, but not limited to, camps, workshops, therapeutic

38 vacations, or educational programs, that, as a condition of enrollment or participation,
39 require or result in any of the following:

40 (A) Violation of a court order requiring that a child have no contact with his or her
41 parent or legal guardian;

42 (B) The use of private youth transporters or private transportation agents engaged in
43 the use of force, the threat of force, physical obstruction, acutely distressing
44 circumstances, or circumstances that place the safety of the child at risk;

45 (C) A no-contact period between the child and his or her parent or legal guardian; or

46 (D) An out-of-state stay."

47 **SECTION 5.**

48 This Act shall become effective on July 1, 2025.

49 **SECTION 6.**

50 All laws and parts of laws in conflict with this Act are repealed.