

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 adding Section 610.5 as follows:

6 (750 ILCS 5/610.5 new)

7 Sec. 610.5. Out of State military service.

8 (a) Whenever it is determined in a proceeding to establish,
9 modify, or enforce child custody or visitation with a child
10 that a parent who is a party to the proceeding is a person on
11 active military duty stationed out of State, the court must
12 treat any order establishing, modifying, or enforcing child
13 custody or visitation with a child as a temporary order.

14 (b) An order that qualifies as a temporary order under this
15 Section:

16 (1) does not prejudice the rights of the parties or the
17 child which are to be adjudicated at a subsequent hearing
18 in the proceeding;

19 (2) may be incorporated into a final judgment, but only
20 if the court makes a finding that this Section applies and
21 the judgment provides that it may be modified to the extent
22 that it establishes, modifies, or enforces child custody
23 without meeting the requirements of Section 610; and

1 (3) terminates when the court enters a subsequent order
2 or judgment following a hearing that is held:

3 (A) after the person is discharged from active
4 military duty; or

5 (B) after the person, although remaining on active
6 military duty, is no longer stationed out of State.

7 (c) "Active-duty military member" means, for purposes of
8 this Section, a person who is currently serving on active duty
9 as a member of the Armed Forces of the United States, the
10 Illinois National Guard, or any reserve component of the Armed
11 Forces of the United States.