



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT to amend** 767.41 (5) (am) (intro.) of the statutes; **relating to:** the
2 presumption that shared parenting is in the best interest of the child in
3 determining custody and physical placement.

Analysis by the Legislative Reference Bureau

Under current law, when a court grants legal custody or periods of physical placement of a child in an action affecting the family, the court is required to consider certain factors pertaining to the best interest of the child. This bill requires the court, when considering the best interest of the child, to presume that shared parenting is in the best interest of the child.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 767.41 (5) (am) (intro.) of the statutes is amended to read:
5 767.41 **(5)** (am) (intro.) Subject to pars. (bm) and (c), in determining legal
6 custody and periods of physical placement, the court shall consider all facts relevant
7 to the best interest of the child. The court shall presume that shared parenting is
8 in the best interest of the child. The court may not prefer one parent or potential

