

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1358

Page 1, line 2, remove "subsection 1 of"

Page 1, line 3, replace the first "section" with "sections", remove "sections", and after "27-20-25" insert a comma

Page 2, line 18, remove the overstrike over "or" and after "or" insert "subdivision a of subsection 1 of section"

Page 10, line 4, remove the overstrike over "or" and after "or" insert "subdivision a of subsection 1 of section"

Page 10, line 11, replace "Subsection 1 of section" with "Section"

Page 10, after line 12, insert:

"27-20-22. Summons."

Page 10, after line 28, insert:

2. The court may endorse upon the summons an order directing the parents, guardian, or other custodian of the child to appear personally at the hearing and directing the person having the physical custody or control of the child to bring the child to the hearing.
3. If it appears from affidavit filed or from sworn testimony before the court that the conduct, condition, or surroundings of the child are endangering ~~his~~ the child's health or welfare or those of others, or that ~~he~~ the child may abscond or be removed from the jurisdiction of the court or will not be brought before the court, notwithstanding the service of the summons, the court may endorse upon the summons an order that a law enforcement officer shall serve the summons and take the child into immediate custody and bring ~~him forthwith~~ the child before the court.
4. The summons ~~shall~~ must state that a party is entitled to counsel in the proceedings and that the court will appoint counsel if the party is unable without undue financial hardship to employ counsel.
5. A party, other than the child, may waive service of summons by written stipulation or by voluntary appearance at the hearing. If the child is present at the hearing, ~~his~~ the child's counsel, with the consent of the parent, guardian, or other custodian, or guardian ad litem, may waive service of summons in ~~his~~ the child's behalf.
6. When a child is in detention or shelter care and good cause is shown why service was not completed upon an absent or noncustodial parent, the court may proceed with the hearing on the petition in order to comply with any time limitations under this chapter.

Renumber accordingly