

Fifty-eighth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1402**

Introduced by

Representative Maragos

1 A BILL for an Act to amend and reenact section 14-09-06.1 of the North Dakota Century Code,  
2 relating to the awarding of the custody of a child.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 14-09-06.1 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **14-09-06.1. Awarding custody - Best interests and welfare of child.** An order for  
7 custody of an unmarried minor child entered pursuant to this chapter must award the custody of  
8 the child to a person, agency, organization, or institution as will, in the opinion of the judge,  
9 promote the best interests and welfare of the child. Between the mother and father, whether  
10 natural or adoptive, there is no presumption as to who will better promote the best interests and  
11 welfare of the child. The court, based upon an agreement of the parties, may approve a  
12 custody arrangement under which the parties share custody of the child.