

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 4248

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DATE	D-PG	OFFICIAL STATUS
03/09/2026	6567	Introduction and first reading
		Referred to Judiciary and Public Safety
03/23/2026	6919	Author added Gruenhagen

1.1 A bill for an act

1.2 relating to judiciary; requiring courts to recognize the fundamental right to the

1.3 parent-child relationship in child custody and parenting time determinations;

1.4 amending Minnesota Statutes 2024, section 518.155.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2024, section 518.155, is amended to read:

1.7 **518.155 CUSTODY DETERMINATIONS.**

1.8 (a) Notwithstanding any law to the contrary, a court in which a proceeding for dissolution,

1.9 legal separation, or child custody has been commenced shall not issue, revise, modify or

1.10 amend any order, pursuant to sections 518.131, 518.165, 518.168, 518.17, 518.175 or 518.18,

1.11 which affects the custody of a minor child or the parenting time of a parent unless the court

1.12 has jurisdiction over the matter pursuant to the provisions of chapter 518D.

1.13 (b) Notwithstanding any law to the contrary, courts shall adhere to and uphold the

1.14 opinions issued in *SooHoo v. Johnson*, 731 N.W.2d 815 (Minn. 2007), and *Troxel v.*

1.15 *Granville*, 530 U.S. 57 (2000). A court or any practitioner involved in providing

1.16 recommendations to the court, in a proceeding for child custody or parenting time

1.17 determinations, must recognize and protect the fundamental right to the parent-child

1.18 relationship absent a finding of harm by clear and convincing evidence. The court shall use

1.19 appropriate judicial scrutiny afforded a fundamental right in decision making prior to

1.20 interfering, infringing, affecting, superseding, or limiting these rights. The court shall equally

1.21 protect the fundamental rights of each fit parent to the custody, care, and control of the

1.22 child. Marital status alone shall not restrict this fundamental right.