

1 AN ACT relating to a name change for a minor.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 401.020 is amended to read as follows:

4 **(1)** Both parents, provided both are living, or one (1) parent if one (1) is deceased, or if
5 no parent is living, the guardian, may have the name of a child under the age of
6 eighteen (18) changed by the District Court, or if the Family Court or Circuit Court
7 has a case before it involving the family, the Family Court of a county with a
8 Family Court, or the Circuit Court of a county without a Family Court of the county
9 in which the child resides.

10 **(2)** ~~{However,}~~ If one (1) parent refuses or is unavailable to execute the petition **for a**
11 **name change**, proper notice of filing the petition shall be served in accordance with
12 the Rules of Civil Procedure. **The court shall conduct a hearing on the petition no**
13 **later than sixty (60) days from the date of service and make findings of fact and**
14 **conclusions of law based on the best interests of the child. The court shall**
15 **consider all relevant factors, including:**

16 **(a) The wishes of the child's parent or parents;**

17 **(b) The wishes of the child as to the name change, with due consideration given**
18 **to the influence a parent may have over the child's wishes;**

19 **(c) The interaction and interrelationship of the child with his or her parent or**
20 **parents, his or her siblings, and any other person who may significantly**
21 **affect the child's best interests;**

22 **(d) The motivation of the adults participating in the proceeding; and**

23 **(e) The mental and physical health of all individuals involved.**

24 **(3)** If the child resides on a United States Army post, military reservation, or fort, his or
25 her name may be changed by the District Court, or the Family Court of a county
26 with a Family Court, or the Circuit Court of a county without a Family Court of any
27 county adjacent thereto.