

LIVED FROM BIRTH WITH ANY OF THE PERSONS MENTIONED. PERIODS OF TEMPORARY ABSENCE OF ANY OF THE NAMED PERSONS ARE COUNTED AS PART OF THE 6-MONTH OR OTHER PERIOD.

(6) "INITIAL DECREE" MEANS THE FIRST CUSTODY DECREE CONCERNING A PARTICULAR CHILD.

(7) "MODIFICATION DECREE" MEANS A CUSTODY DECREE WHICH MODIFIES OR REPLACES A PRIOR DECREE, WHETHER MADE BY THE COURT WHICH RENDERED THE PRIOR DECREE OR BY ANOTHER COURT.

(8) "PHYSICAL CUSTODY" MEANS ACTUAL POSSESSION AND CONTROL OF A CHILD.

(9) "PERSON ACTING AS PARENT" MEANS A PERSON, OTHER THAN A PARENT, WHO HAS PHYSICAL CUSTODY OF A CHILD AND WHO HAS EITHER BEEN AWARDED CUSTODY BY A COURT OR CLAIMS A RIGHT TO CUSTODY.

(10) "STATE" MEANS ANY STATE, TERRITORY, OR POSSESSION OF THE UNITED STATES, THE COMMONWEALTH OF PUERTO RICO, AND THE DISTRICT OF COLUMBIA.

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(A) A COURT OF THIS STATE WHICH IS COMPETENT TO DECIDE CHILD CUSTODY MATTERS HAS JURISDICTION TO MAKE A CHILD CUSTODY DETERMINATION BY INITIAL OR MODIFICATION DECREE IF:

(1) THIS STATE (I) IS THE HOME STATE OF THE CHILD AT THE TIME OF COMMENCEMENT OF THE PROCEEDING, OR (II) HAD BEEN THE CHILD'S HOME STATE WITHIN 6 MONTHS BEFORE COMMENCEMENT OF THE PROCEEDING AND THE CHILD IS ABSENT FROM THIS STATE BECAUSE OF HIS REMOVAL OR RETENTION BY A PERSON CLAIMING HIS CUSTODY OR FOR OTHER REASONS, AND A PARENT OR PERSON ACTING AS PARENT CONTINUES TO LIVE IN THIS STATE; OR

(2) IT IS IN THE BEST INTEREST OF THE CHILD THAT A COURT OF THIS STATE ASSUME JURISDICTION BECAUSE (I) THE CHILD AND HIS PARENTS, OR THE CHILD AND AT LEAST ONE CONTESTANT, HAVE A SIGNIFICANT CONNECTION WITH THIS STATE, AND (II) THERE IS AVAILABLE IN THIS STATE SUBSTANTIAL EVIDENCE CONCERNING THE CHILD'S PRESENT OR FUTURE CARE, PROTECTION, TRAINING, AND PERSONAL RELATIONSHIPS; OR

(3) THE CHILD IS PHYSICALLY PRESENT IN THIS STATE AND (I) THE CHILD HAS BEEN ABANDONED OR (II) IT IS NECESSARY IN AN EMERGENCY TO PROTECT THE CHILD BECAUSE HE HAS BEEN SUBJECTED TO OR THREATENED WITH MISTREATMENT OR ABUSE OR IS OTHERWISE NEGLECTED OR DEPENDENT; OR