

HB0289S03 compared with HB0289S02

~~text~~ shows text that was in HB0289S02 but was deleted in HB0289S03.

Inserted text shows text that was not in HB0289S02 but was inserted into HB0289S03.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative LaVar Christensen proposes the following substitute bill:

GRANDPARENT VISITATION AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: LaVar Christensen

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions concerning the visitation rights of a grandparent.

Highlighted Provisions:

This bill:

- ▶ provides that grandparents whose child's parental rights have been involuntarily terminated and whose grandchild has been adopted by a relative may file a petition for visitation.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

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ENACTS:

78A-6-516, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **78A-6-516** is enacted to read:

78A-6-516. Visitation rights of grandparents.

(1) As used in this section, "relative" means an individual related to the grandchild by blood or marriage as:

- (a) a sibling;
- (b) an aunt;
- (c) an uncle; or
- (d) a grandparent.

(2) When a parent's rights are involuntarily terminated under this part and when there has been an adoption of the child by a relative, a grandparent may file a one-time petition under this section for determination of reasonable grandparent visitation in the same manner and to the same extent as provided in Section 30-5-2, subject to the same rebuttable presumption of a parent's decision and the same consideration of a child's and family's best interests.

(3) An adoptive parent may request and a court may require that grandparent visitation be supervised, in accordance with the applicable guidelines provided in Section 30-3-34.5.

(4) For all involuntary terminations of parental rights and subsequent adoptions by a relative made after October 1, 2017, the one-time petition described in Subsection (2) shall be heard and decided at or before the time of the final adoption decision, with notice given to the proposed adoptive parents of the petition.

(~~4~~)5 If a court has issued a final adoption decree, a court may not consider under this section a petition for grandparent visitation that is filed after October 1, 2017.

(6) An individual who files an action under this section for grandparent visitation of a child and who does not prevail in the action is barred from bringing a subsequent action for grandparent visitation of the same child.

(7) The provisions of this section do not apply to a private adoption by a nonrelative of a child.

(~~5~~)8 Grandparent visitation may also be determined by a post adoption contract

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agreement, as described in Section 78B-6-146.