

Representative LaVar Christensen proposes the following substitute bill:

**GRANDPARENT VISITATION AMENDMENTS**

2017 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: LaVar Christensen**

Senate Sponsor: \_\_\_\_\_

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**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:**

ENACTS:

**78A-6-516**, Utah Code Annotated 1953

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*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.**



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

28 (a) a sibling;

29 (b) an aunt;

30 (c) an uncle; or

31 (d) a grandparent.

32 (2) The standing and visitation rights of a grandparent under Section 30-5-2 continue  
33 and are not extinguished when a parent's rights are involuntarily terminated under this part and  
34 when there has been an adoption of the child by a relative.

35 (3) A grandparent may file a one-time petition under this section for determination of  
36 reasonable grandparent visitation in the same manner and to the same extent as provided in  
37 Section 30-5-2, subject to the same rebuttal presumption of a parent's decision and the same  
38 consideration of a child's and family's best interests.

39 (4) For all involuntary terminations and subsequent adoptions made after January 1,  
40 2018, the one-time petition described in Subsection (3) shall be heard and decided at or before  
41 the time of the final adoption decision, with notice given to the proposed adoptive parents of  
42 the petition.

43 (5) Grandparent visitation may also be determined by a post adoption contract  
44 agreement, as described in Section 78B-6-146.