

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:

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.



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

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

41 (4) If a court has issued a final adoption decree, a court may not consider a petition for
42 grandparent visitation that is filed after October 1, 2017.

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