

March 29, 1999

H 639. GRANDPARENT VISITATION. *TO PROVIDE FOR AN EXPANSION OF RIGHTS UNDER EXISTING LAW PERTAINING TO GRANDPARENT VISITATION.* Amends G.S. 50-13.2A to allow a court to award visitation to grandparents upon a determination that visitation is in the best interest of the child. If the grandchild's legal parents are married and living together, no visitation may be ordered unless the court finds: (1) there is a preexisting relationship between the grandparent and the grandchild that has engendered a bond; and (2) that the amount and circumstances of visitation will not substantially interfere with the rights of the parents to exercise their parental authority. Further, when the legal parents are married and living together, there is a presumption that visitation is not in the grandchild's best interest if the grandchild's parents agree that the grandparent should not have visitation. Effective October 1, 1999.

Intro. by Culpepper.

Ref. to Rules

GS 50

April 23, 1999

H 639. GRANDPARENT VISITATION. Intro. 3/29/99. House committee substitute makes the following changes to 1st edition. Deletes requirement that court's findings must be by clear and convincing evidence. Substitutes term grandchild's biological parents for grandchild's legal parents throughout amendment to GS 50-13.2A.