

April 10, 2003

H 1128. GRANDPARENT VISITATION. TO PROVIDE FOR AN EXPANSION OF RIGHTS UNDER EXISTING LAWS RELATING TO GRANDPARENT VISITATION. Currently, GS 50-13.2A provides that a biological grandparent may seek visitation rights with a child who has been adopted by a stepparent or relative of the child if a substantial relationship exists between the grandparent and the child. Bill deletes the word "biological" before grandparent, deletes the provision regarding the adoption of the child, and deletes the requirement of a substantial relationship between the grandparent and child. Authorizes a grandparent to apply to the court for visitation with a grandchild when either or both of the parents of a minor child are deceased, or where existing circumstances require otherwise. Permits court to award visitation to the grandparent after notice is given to the parent or other party having the care, custody, and control of the child. Sets forth factors for the court to consider in awarding or denying visitation. Creates a rebuttable presumption that a parent's decision to deny the grandparent visitation or communication with the child is in the best interest of the child. Repeals GS 50-13.5(j) (grandparent custody and visitation provisions in cases in which a court has entered an order of child custody).

Intro. by Culp by request.

Ref. to Judiciary II	GS 50
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