

SB 5598 - H AMD TO JUDI COMM AMD (H-5007.1/18) **1346**
By Representative Walsh

SCOPE AND OBJECT 03/02/2018

1 On page 1, beginning on line 3 of the striking amendment, strike
2 all of sections 1 and 2 and insert the following:

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4 "NEW SECTION. **Sec. 1.** The definitions in this section apply
5 throughout this chapter unless the context clearly requires
6 otherwise.

7 (1) "Grandparent" means:

8 (a) A person who is the parent of a child's father or mother,
9 and who is related to the child by blood, adoption, or marriage
10 including preceding generations as denoted by prefixes of grand,
11 great, or great-great; and

12 (b) Spouses of any persons named in (a) of this subsection, even
13 after the marriage is terminated.

14 (2) "Parent" means a legal parent whose rights have not been
15 terminated, relinquished, or declared not to exist.

16

17 NEW SECTION. **Sec. 2.** (1) A grandparent may petition for
18 visitation with the child if:

19 (a) The petitioner has an ongoing and substantial relationship
20 with the child;

21 (b) The petitioner is the child's grandparent; and

22 (c) The child is likely to suffer harm or a substantial risk of
23 harm if visitation is denied.

24 (2) A person has established an ongoing and substantial relationship
25 with a child if the person and the child have had a relationship
26 formed and sustained through interaction, companionship, and mutuality
27 of interest and affection, without expectation of financial

1 compensation, with substantial continuity for at least two years
2 unless the child is under the age of two years, in which case there
3 must be substantial continuity for at least half of the child's life,
4 and with a shared expectation of and desire for an ongoing
5 relationship."

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EFFECT: Limits the persons who are allowed to file a petition
for court-ordered visitation with a child to the grandparents
(rather than relatives) of the child.

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