

HUMAN RESOURCES Hanson, Chair; Murphy and Corning

FILED MAR 18 1987

SENATE FILE 440
BY COMMITTEE ON HUMAN RESOURCES
(formerly ^{Approved (S 754)} SSB 148)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to grandparent visitation rights in the case of a
2 child born out of wedlock.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 440

S-3221

1 Amend Senate File 440 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Section 1. Section 600A.10, unnumbered paragraph
5 1, and subsections 1 through 3, Code 1987, are amended
6 to read as follows:

7 A grandparent of a child may petition the district
8 court for grandchild visitation rights when any of the
9 following circumstances occur:

10 1. ~~The parent of the child, who is the child of~~
11 ~~the grandparent, has died;~~

12 2. ~~The child has been placed in a foster home;~~

13 3. ~~The parental rights of the parent of the child,~~
14 ~~who is the child of the grandparent, are terminated~~
15 ~~pursuant to section 232.117 or 600A.9 or a petition to~~
16 ~~terminate parental rights has been filed pursuant to~~
17 section 232.111 or 600A.5 parents of the child are
18 divorced, and the parent who is not the child of the
19 grandparent has legal custody of the child, and the
20 spouse of the child's custodial parent has been issued
21 a final adoption decree pursuant to section 600.13."

22 2. Title page, line 2, by inserting after the
23 word "wedlock" the following: "or adopted by a
24 stepparent".

25 3. By renumbering as necessary.

S-3221

Filed March 23, 1987

BY DONALD V. DOYLE
DAVID R. READINGER

SC 440

1 Section 1. Section 600A.10, Code 1987, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 4. The paternity of a child born out of
4 wedlock is judicially established and the grandparent of the
5 child is the parent of the father of the child and the mother
6 of the child has custody of the child, or the grandparent of a
7 child born out of wedlock is the parent of the mother of the
8 child and custody has been awarded to the father of the child.

9 EXPLANATION

10 This bill provides that a grandparent of a child may
11 petition the district court for grandchild visitation rights
12 in the case of a grandchild born out of wedlock if the
13 paternity of the child is established and the grandparent is
14 the parent of the father and the mother of the child has
15 custody of the child, or if the grandparent is the parent of
16 the mother and custody is awarded to the father.

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SENATE FILE 440

S-3323

1 Amend Senate File 440 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "Section 1. Section 598.35, Code 1987, is amended
5 to read as follows:
6 598.35 GRANDPARENTS VISITATION RIGHTS.
7 The grandparents grandparent of a child may
8 petition the district court for grandchild visitation
9 rights when any of the following circumstances occur:
10 1. The parents of the child are divorced, ~~or.~~
11 2. A petition for dissolution of marriage has been
12 filed by one of the parents of the child, ~~or.~~
13 3. The parent of the child, who is the child of
14 the grandparents grandparent, has died, ~~or.~~
15 4. The child has been placed in a foster home.
16 5. The parents of the child are divorced, and the
17 parent who is not the child of the grandparent has
18 legal custody of the child, and the spouse of the
19 child's custodial parent has been issued a final
20 adoption decree pursuant to section 600.13.
21 6. The paternity of a child born out of wedlock is
22 judicially established and the grandparent of the
23 child is the parent of the father of the child and the
24 mother of the child has custody of the child, or the
25 grandparent of a child born out of wedlock is the
26 parent of the mother of the child and custody has been
27 awarded to the father of the child.
28 A petition for grandchild visitation rights shall
29 be granted only upon a finding that the visitation is
30 in the best interests of the child and that the
31 grandparent had established a substantial relationship
32 with the child prior to the filing of the petition.
33 Sec. 2. Section 600A.10, Code 1987, is repealed."

S-3323

Filed March 30, 1987

BY DONALD V. DOYLE
DAVID M. READINGER
AL STURGEON
BILL HUTCHINS
CALVIN O. HULTMAN

SSB #148
Human Resources

SENATE FILE 440

BY (PROPOSED COMMITTEE ON HUMAN
RESOURCES BILL)

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

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SUB COMMITTEE ASSIGNMENTS

CH. 3: *Nannon*

COMMITTEE: *Human Resources*

2/25/87

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2 adding the following new subsection:

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4 wedlock is judicially established and the grandparent of the
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