

2/24/98 Do Pass

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H. 3/4/98/Human Res.

HUMAN RESOURCES

SENATE FILE 2261

BY LUNDBY

Passed Senate, ^(P. 535) Date 3/3/98 Passed House, Date 4/3/98
 Vote: Ayes 49 Nays 0 Vote: Ayes 95 Nays 0
 Approved April 16, 1998

A BILL FOR

1 An Act relating to the criteria for the awarding of grandparent
 2 and great-grandparent visitation rights.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 2261

1 Section 1. Section 598.35, subsection 6, Code Supplement
2 1997, is amended to read as follows:

3 6. The paternity of a child born out of wedlock is
4 judicially established and the grandparent of the child is the
5 parent of the mother or father of the child or the great-
6 grandparent of the child is the grandparent of the mother or
7 father of the child and the mother of the child has custody of
8 the child, or the grandparent of a child born out of wedlock
9 is the parent of the mother or father of the child or the
10 great-grandparent of the child is the grandparent of the
11 mother or father of the child and custody has been awarded to
12 the father of the child.

13 EXPLANATION

14 This bill provides that the parent of the mother or father
15 of a child born out of wedlock or the grandparent of the
16 mother or father of a child born out of wedlock may petition
17 the court for visitation rights whether child custody has been
18 awarded to the mother or father of the child.

19 Visitation is only granted if it is in the best interest of
20 the child and the grandparent or great-grandparent has
21 established a substantive relationship with the child before
22 filing the petition.

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mother or father of the child and custody has been awarded to the father of the child.

SENATE FILE 2261

AN ACT

RELATING TO THE CRITERIA FOR THE AWARDING OF GRANDPARENT AND GREAT-GRANDPARENT VISITATION RIGHTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 598.35, subsection 6, Code Supplement 1997, is amended to read as follows:

6. The paternity of a child born out of wedlock is judicially established and the grandparent of the child is the parent of the mother or father of the child or the great-grandparent of the child is the grandparent of the mother or father of the child and the mother of the child has custody of the child, or the grandparent of a child born out of wedlock is the parent of the mother or father of the child or the great-grandparent of the child is the grandparent of the

MARY E. KRAMER
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2261, Seventy-seventh General Assembly.

MARY PAT GUNDERSON
Secretary of the Senate

Approved  April 16, 1998

TERRY E. BRANSTAD
Governor