

Senate File 281 - Introduced

SENATE FILE 281

BY ZAUN

A BILL FOR

1 An Act relating to grandparent and great-grandparent

2 visitation.

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

1 Section 1. Section 600C.1, subsection 1, Code 2017, is
2 amended to read as follows:

3 1. The grandparent or great-grandparent of a minor child
4 may petition the court for grandchild or great-grandchild
5 visitation ~~when the parent of the minor child, who is the child~~
6 ~~of the grandparent or the grandchild of the great-grandparent,~~
7 ~~is deceased.~~

8 Sec. 2. Section 600C.1, subsection 3, paragraph b, Code
9 2017, is amended to read as follows:

10 b. The grandparent or great-grandparent has established a
11 substantial relationship or has made significant reasonable
12 efforts to establish a relationship with the child prior to the
13 filing of the petition.

14 EXPLANATION

15 The inclusion of this explanation does not constitute agreement with
16 the explanation's substance by the members of the general assembly.

17 This bill relates to grandparent and great-grandparent
18 visitation.

19 Under current law, a grandparent or great-grandparent
20 may only petition the court for visitation of a minor child
21 if the parent of the minor child, who is the child of the
22 grandparent or the grandchild of the great-grandparent, is
23 deceased. The court may only grant such visitation if the
24 court finds by clear and convincing evidence that granting
25 such visitation is in the best interest of the child, the
26 presumption that the parent of the child is fit to make the
27 decision regarding visitation is overcome, and the grandparent
28 or great-grandparent has established a substantial relationship
29 with the child prior to the filing of the petition.

30 Under the bill, the limitation of requiring that the parent
31 is deceased is eliminated, thereby allowing any grandparent
32 or great-grandparent to petition the court for visitation.
33 Additionally, the bill provides that in determining whether to
34 grant visitation, as an alternative to proving to the court
35 by clear and convincing evidence that the grandparent or

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1 great-grandparent has established a substantial relationship
2 with the child prior to filing the petition, the grandparent or
3 great-grandparent must prove by clear and convincing evidence
4 that the grandparent or great-grandparent has made significant
5 reasonable efforts to establish a relationship with the child
6 prior to filing the petition.