

SENATE BILL 1238

D4
SB 1032/17 – JPR

8lr4047

By: **Senator Klausmeier**

Introduced and read first time: March 5, 2018

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Grandparent Visitation**

3 FOR the purpose of altering the circumstances under which an equity court may grant
4 visitation rights to a grandparent of a child; and generally relating to visitation.

5 BY repealing and reenacting, with amendments,
6 Article – Family Law
7 Section 9–102
8 Annotated Code of Maryland
9 (2012 Replacement Volume and 2017 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
11 That the Laws of Maryland read as follows:

12 **Article – Family Law**

13 9–102.

14 An equity court may:

15 (1) consider a petition for reasonable visitation of a grandchild by a
16 grandparent; and

17 (2) [if the court finds it to be in the best interests of the child,] grant
18 visitation rights to the grandparent:

19 (I) IF EACH OF THE CHILD’S LIVING PARENTS CONSENTS TO
20 VISITATION; OR

21 (II) IF ONE OR BOTH PARENTS OBJECT TO VISITATION, THE

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 COURT FINDS THAT:

2 1. EXCEPTIONAL CIRCUMSTANCES EXIST THAT
3 DEMONSTRATE CURRENT OR FUTURE DETRIMENT TO THE CHILD ABSENT
4 VISITATION WITH THE CHILD'S GRANDPARENTS;

5 2. VISITATION RIGHTS WOULD NOT INTERFERE WITH
6 THE PARENT-CHILD RELATIONSHIP; AND

7 3. VISITATION RIGHTS WOULD BE IN THE BEST INTEREST
8 OF THE CHILD.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2018.