

SENATE BILL 1670

By McNally

AN ACT to amend Tennessee Code Annotated, Title 36,
Chapter 6, Part 3, relative to grandparent
visitation.

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

SECTION 1. Tennessee Code Annotated, Section 36-6-306(a), is amended by deleting the subsection and substituting instead the following:

(a) Any of the following circumstances, when presented in a petition for grandparent visitation to the circuit, chancery, general sessions courts with domestic relations jurisdiction, or juvenile court in matters involving children born out of wedlock of the county in which the petitioned child currently resides, necessitates a hearing if such grandparent visitation is opposed by the custodial parent or parents or custodian or if the grandparent visitation has been significantly reduced by the custodial parent or parents or custodian:

- (1) The father or mother of an unmarried minor child is deceased;
- (2) The child's father or mother are divorced, legally separated, or were never married to each other;
- (3) The child's father or mother has been missing for not less than six (6) months;
- (4) The court of another state has ordered grandparent visitation;
- (5) The child resided in the home of the grandparent for a period of twelve (12) months or more and was subsequently removed from the home by the parent, parents, or custodian (this grandparent-grandchild relationship

establishes a rebuttable presumption that denial of visitation may result in irreparable harm to the child); or

(6) The child and the grandparent maintained a significant existing relationship for a period of twelve (12) months or more immediately preceding severance or significant reduction of the relationship, this relationship was severed or significantly reduced by the parent, parents, or custodian for reasons other than abuse or presence of a danger of substantial harm to the child, and severance or significant reduction of this relationship is likely to occasion substantial emotional harm to the child.

SECTION 2. Tennessee Code Annotated, Section 36-6-306(b), is amended by deleting the word "loss" wherever it appears and substituting instead the words "loss or significant reduction".

SECTION 3. Tennessee Code Annotated, Section 36-6-306(b), is further amended by deleting the word "cessation" wherever it appears and substituting instead the words "cessation or significant reduction".

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.