

HOUSE BILL 1037

D4

1lr1604

By: **Delegate Dumais**

Introduced and read first time: February 11, 2011

Assigned to: Judiciary

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 (2006 Replacement Volume and 2010 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11 MARYLAND, 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 **(1) IF EACH OF THE CHILD’S LIVING PARENTS CONSENTS TO**
20 **VISITATION; OR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(II) IF ONE OR BOTH PARENTS OBJECT TO VISITATION, THE**
2 **COURT FINDS THAT:**

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

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

8 **3. VISITATION RIGHTS WOULD BE IN THE BEST**
9 **INTERESTS OF THE CHILD.**

10 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
11 **October 1, 2011.**