

# SENATE BILL No. 121

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 31-17-5.

**Synopsis:** Grandparent visitation. Provides that a child's grandparent may seek visitation rights when a parent or guardian of the child unreasonably refuses or restricts visitation. Eliminates current conditions under which a grandparent may seek visitation rights.

**Effective:** July 1, 2006.

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**Waterman**

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January 9, 2006, read first time and referred to Committee on Judiciary.

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Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

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# SENATE BILL No. 121



A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 31-17-5-1 IS AMENDED TO READ AS  
 2 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. (a) A child's  
 3 grandparent may seek visitation rights if  
 4 (1) the child's parent is deceased;  
 5 (2) the marriage of the child's parents has been dissolved in  
 6 Indiana; or  
 7 (3) subject to subsection (b), the child was born out of wedlock;  
 8 **a parent or guardian of the child unreasonably:**  
 9 (1) refuses to allow; or  
 10 (2) restricts;  
 11 **visitation by the grandparent.**  
 12 (b) A court may not grant visitation rights to a paternal grandparent  
 13 of a child who is born out of wedlock ~~under subsection (a)(3)~~ if the  
 14 child's father has not established paternity in relation to the child.  
 15 SECTION 2. IC 31-17-5-4 IS AMENDED TO READ AS  
 16 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 4. A grandparent  
 17 seeking visitation rights shall file a petition requesting reasonable



1       visitation rights:

2               (1) **except as provided in subdivision (2)**, in a circuit or superior  
3               court of the county in which the child resides in a case described  
4               in ~~section 1(a)(1), 1(a)(3)~~, **section (1)(a)** or 10 of this chapter; or  
5               (2) in the court having jurisdiction over the dissolution of the  
6               parents' marriage ~~in a case described in section 1(a)(2) of this~~  
7               ~~chapter~~: **if the marriage of the child's parents has been**  
8               **dissolved in Indiana.**

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