

Hall of the House of Representatives
87th General Assembly - Regular Session, 2009
Amendment Form

Subtitle of House Bill No. 1008

"TO AMEND ARKANSAS CODE 9-13-103 REGARDING GRANDPARENTS VISITATION
RIGHTS."

Amendment No. 1 to House Bill No. 1008.

Amend House Bill No. 1008 as originally introduced:

Page 1, delete lines 9 and 10 of the Title and substitute:

"AN ACT ALLOWING GRANDPARENTS AND GREAT-GRANDPARENTS VISITATION TO OCCUR
WITHOUT REGARD TO WHICH PARENT HAS PHYSICAL CUSTODY OF THE CHILD; AND FOR"

AND

Page 1, delete lines 14 through 16 of the Subtitle and substitute:

"ALLOWING GRANDPARENTS AND GREAT-GRANDPARENTS VISITATION TO OCCUR WITHOUT
REGARD TO WHICH PARENT HAS PHYSICAL CUSTODY OF THE CHILD."

AND

Delete Section 1 and substitute:

"SECTION 1. Arkansas Code § 9-13-103(f), concerning grandparents
visitation rights, is amended to read as follows:

(f)(1) An order granting or denying visitation rights to grandparents
and great-grandparents shall be in writing and shall state any and all
factors considered by the court in its decision to grant or deny visitation
under this section.

(2)(A) If the court grants visitation to the petitioner or
petitioners, the visits may occur without regard to which parent has physical
custody of the child.

(B) Visits with a paternal grandparent or great-
grandparent may occur even when the child is in the custody of the mother,
and visits with a maternal grandparent or great-grandparent may occur even
when the child is in the custody of the father.

~~(2)(A)~~(3)(A) If the court grants visitation to the petitioner
under this section, then the visitation shall be exercised in a manner
consistent with all orders regarding custody of or visitation with the child
unless the court makes a specific finding otherwise.

(B) If the court finds that the petitioner's visitation
should be restricted or limited in any way, then the court shall include the



restrictions or limitations in the order granting visitation.

~~(3)~~(4) An order granting or denying visitation rights under this section is a final order for purposes of appeal.

~~(4)~~(5) After an order granting or denying visitation has been entered under this section, the custodian or petitioner may petition the court for the following:

(A) Contempt proceedings if one (1) party to the order fails to comply with the order;

(B) To address the issue of visitation based on a change in circumstances; or

(C) To address the need to add or modify restrictions or limitations to visitation previously awarded under this section."

The Amendment was read _____

By: Representative R. Green

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Chief Clerk