

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

HOUSE BILL 1392

4 **By: Representatives Dawson, Whorton, and Riabie**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 9-13-103 PERTAINING TO
9 VISITATION RIGHTS OF GRANDPARENTS; AND FOR OTHER
10 PURPOSES."

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Subtitle

13 "AMEND ARKANSAS CODE PERTAINING TO VISITATION RIGHTS OF
14 GRANDPARENTS."

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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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18 SECTION 1. Arkansas Code 9-13-103 is amended by inserting two (2)
19 additional subsections at the end thereof to read as follows:

20 "(d) If an unmarried minor has resided with his or her grandparents or
21 great-grandparents for a period of *at least twelve (12) consecutive* months or
22 more, the grandparents or great-grandparents become necessary parties to any
23 action for guardianship or custody of the minor *commenced within one (1) year*
24 *of the period the unmarried minor resided with his or her grandparents or*
25 *great-grandparents.*

26 (e) If an unmarried minor has resided with his or her grandparents or
27 great-grandparents for a period of *at least twelve (12) consecutive* months or
28 more, the grandparents or great-grandparents may petition the chancery court
29 *for an order granting them custody of, or reasonable visitation rights to the*
30 *child during its minority; or may petition the probate court for an order*
31 *granting them guardianship. Provided, however, this section does not restrict*
32 *nor limit a grandparent's or great-grandparent's right to petition for*
33 *guardianship as provided in any other law of this state, nor does this section*
34 *repeal any other law of this state pertaining to guardianship."*

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1 SECTION 2. All provisions of this act of a general and permanent nature
2 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
3 Revision Commission shall incorporate the same in the Code.

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5 SECTION 3. If any provision of this act or the application thereof to
6 any person or circumstance is held invalid, such invalidity shall not affect
7 other provisions or applications of the act which can be given effect without
8 the invalid provision or application, and to this end the provisions of this
9 act are declared to be severable.

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11 SECTION 4. All laws and parts of laws in conflict with this act are
12 hereby repealed. *Provided, however, this act does not repeal any law or part*
13 *of any law pertaining to the guardianship of a minor.*

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/s/John Dawson, et al

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