



General Assembly

Amendment

February Session, 2010

LCO No. 4145

HB0514604145HDO

Offered by:

REP. SERRA, 33rd Dist.
SEN. PRAGUE, 19th Dist.
REP. COOK, 65th Dist.

REP. TALLARITA, 58th Dist.
SEN. GAFFEY, 13th Dist.
SEN. KISSEL, 7th Dist.

To: Subst. House Bill No. 5146

File No. 54

Cal. No. 42

"AN ACT CONCERNING VISITATION OF CHILDREN COMMITTED TO THE DEPARTMENT OF CHILDREN AND FAMILIES."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 46b-59 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2010*):

5 The Superior Court may grant the right of visitation with respect to
6 any minor child or children to any person, upon an application of such
7 person. [Such order shall be according to the court's best judgment
8 upon the facts of the case and] The court shall grant the right of
9 visitation, subject to such conditions and limitations as it deems
10 equitable, if the applicant demonstrates by clear and convincing
11 evidence that (1) the applicant has a parent-like relationship with the
12 child; and (2) the child will suffer real and substantial harm as a result
13 of the denial of visitation, provided the grant of such right of visitation

14 [rights] shall not be contingent upon any order of financial support by
15 the court. [In making, modifying or terminating such an order, the
16 court shall be guided by the best interest of the child, giving
17 consideration to the wishes of such child if he is of sufficient age and
18 capable of forming an intelligent opinion. Visitation rights] The right
19 of visitation granted in accordance with this section shall not be
20 deemed to have created parental rights in the person or persons to
21 whom such right of visitation [rights are] is granted. The grant of
22 [such] the right of visitation [rights] shall not prevent any court of
23 competent jurisdiction from thereafter acting upon the custody of such
24 child, the parental rights with respect to such child or the adoption of
25 such child and any such court may include in its decree an order
26 terminating such right of visitation. [rights.]"