



General Assembly

January Session, 2011

Raised Bill No. 6453

LCO No. 3762

03762_____AGE

Referred to Committee on Aging

Introduced by:
(AGE)

AN ACT CONCERNING GRANDPARENTS' VISITATION RIGHTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 46b-59 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 The Superior Court may grant the right of visitation with respect to
4 any minor child or children to any person, upon an application of such
5 person. [Such order shall be according to the court's best judgment
6 upon the facts of the case and] The court shall grant the right of
7 visitation, subject to such conditions and limitations as it deems
8 equitable, if the applicant demonstrates by clear and convincing
9 evidence that (1) the applicant has a parent-like relationship with the
10 child; and (2) the child will suffer real and substantial harm as a result
11 of the denial of visitation, provided the grant of such right of visitation
12 [rights] shall not be contingent upon any order of financial support by
13 the court. [In making, modifying or terminating such an order, the
14 court shall be guided by the best interest of the child, giving
15 consideration to the wishes of such child if he is of sufficient age and
16 capable of forming an intelligent opinion. Visitation rights] The right

17 of visitation granted in accordance with this section shall not be
18 deemed to have created parental rights in the person or persons to
19 whom such right of visitation [rights are] is granted. The grant of
20 [such] the right of visitation [rights] shall not prevent any court of
21 competent jurisdiction from thereafter acting upon the custody of such
22 child, the parental rights with respect to such child or the adoption of
23 such child and any such court may include in its decree an order
24 terminating such right of visitation. [rights.]

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2011	46b-59
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Statement of Purpose:

To clarify the rights of grandparents and other persons for visitation of minor children.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]