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3 GIVHAN AMENDMENT TO SB276
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8 On page 2, line 1, delete "also"

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10 On page 2, after line 5, insert the following
11 language:

12 This bill would prohibit courts of this state from
13 enforcing a grandparent visitation order issued by a court of
14 a foreign state when the order applies to a child who resided
15 in this state at the time of issuance.

16 This bill would also prohibit courts of this state
17 from enforcing a visitation order issued by a court of a
18 foreign state that does not include specific written findings
19 of fact based on clear and convincing evidence sufficient to
20 rebut the presumptions provided in the bill.

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22 On page 2, line 16, delete "and"

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24 On page 2, line 18, after "order" insert the
25 following language:

26 ; and to prohibit courts of this state from
27 enforcing certain visitation orders in certain circumstances

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2 On page 5, after line 3, insert the following
3 language:

4 "e. A grandparent has had primary custody of the
5 child for more than one calendar year.

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7 On page 10, after line 23, insert the following and
8 reletter the remaining subsection accordingly:

9 "(q) The courts of this state may not enforce,
10 including through the power of contempt, any grandparent
11 visitation order issued by a court of a foreign state that
12 purports to apply to a child who resided in this state at the
13 time of the issuance of the foreign state court order. Any
14 grandparent seeking visitation with a child who resides in
15 this state must do so under this section.

16 "(r) The courts of this state may not enforce,
17 including through the power of contempt, a visitation order
18 issued by a court of a foreign state that does not include
19 specific written findings of fact based on clear and
20 convincing evidence sufficient to rebut the respective
21 presumptions provided for in this section. To be enforced, the
22 foreign state order must provide specific written findings of
23 fact based on clear and convincing evidence that both of the
24 following are true:

25 "(1) The petitioner has established a significant
26 and viable relationship with the child for whom the foreign
27 state court issued an order of visitation.

1 "(2) Visitation with the petitioner is in the best
2 interest of the child.