
SENATE BILL 5944

State of Washington

59th Legislature

2005 Regular Session

By Senators Kastama, Kline and Sheldon

Read first time 02/16/2005. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to grandparent visitation; and adding a new section
2 to chapter 26.09 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 26.09 RCW
5 to read as follows:

6 (1) If the parents of an unmarried minor child are divorced,
7 married but living apart, under a temporary order or judgment of
8 separate support, or if either or both parents are deceased, or if the
9 unmarried minor child was born out of wedlock and the child's paternity
10 has been adjudicated by a court of competent jurisdiction or the father
11 has signed an acknowledgment of paternity, and the parents do not
12 reside together, the grandparents of the minor child may be granted
13 reasonable visitation rights to the minor child during the child's
14 minority by the superior court upon a written finding that:

15 (a) Such visitation rights have been unreasonably denied or a
16 substantial relationship unreasonably interrupted between the
17 grandparents and child; and

18 (b) A grandparent relationship is in the best interest of the minor

1 child with due weight given to fit parental authority in decisions
2 about the health, safety, and welfare of the child.

3 (2) Adjudication of paternity or acknowledgment of paternity is not
4 required to proceed under this section if the maternal grandparents are
5 seeking visitation rights.

6 (3) No visitation rights shall be granted under this section if the
7 minor child has been adopted by a person other than a stepparent of the
8 child. Any visitation rights granted pursuant to this section prior to
9 the adoption of the minor child are terminated upon such adoption
10 without any further action of the court.

11 (4) A petition for grandparents' visitation authorized under this
12 section shall be filed in the county within the state of Washington
13 where the child resides.

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