

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

526E0557

SENATE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **SB 202** - 02/09/2001

Introduced by: Senators Everist, Apa, Brown (Arnold), Dennert, Drake, Hainje, Ham, Hutmacher, Madden, Moore, Olson (Ed), Reedy, and Vitter and Representatives Peterson (Bill), Brown (Jarvis), Brown (Richard), Garnos, Klaudt, Kooistra, McCoy, Murschel, Olson (Mel), Peterson (Jim), and Wick

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding visitation rights for
2 grandparents.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 25-4-52 be amended to read as follows:

5 25-4-52. The circuit court may grant grandparents reasonable rights of visitation with their
6 grandchild, with or without petition by the grandparents, if it the visitation is in the best interests
7 of the grandchild and either the visitation would not significantly interfere with the parent-child
8 relationship or the parent or custodian of the grandchild has denied or prevented a grandparent
9 reasonable opportunity to visit the grandchild. There is a presumption that visitation with the
10 grandparents is in the best interests of the grandchild if a parent of that grandchild, who is also
11 the child of that grandparent, has died.