A bill for an act

relating to family law; modifying provisions governing grandparent visitation; amending Minnesota Statutes 2010, section 257C.08, subdivisions 2, 3; repealing Minnesota Statutes 2010, section 257C.08, subdivision 7.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2010, section 257C.08, subdivision 2, is amended to read:

Subd. 2. **Family court proceedings.** (a) In all proceedings for dissolution, custody, legal separation, annulment, or parentage, after the commencement of the proceeding, or at any time after completion of the proceedings, and continuing during the minority of the child, the court may, upon the request of the parent or grandparent of a party who does not have physical custody of the child, grant reasonable visitation rights to the unmarried minor child, after dissolution of marriage, legal separation, annulment, or determination of parentage during minority if it finds after a hearing that: (1) visitation rights would be in the best interests of the child; and (2) such visitation would not interfere with the parent-child relationship. The court shall consider the amount of personal contact between the parents or grandparents of the party and the child prior to the application and whether the parents or grandparents of the party have been unreasonably denied visitation with the child.

(b) If a motion for grandparent visitation has been heard and denied, unless agreed to in writing by the parties, no subsequent motion may be filed within six months after disposition of a prior motion on its merits.

Sec. 2. Minnesota Statutes 2010, section 257C.08, subdivision 3, is amended to read:

Subd. 3. **If child has resided with grandparents.** If an unmarried minor has resided with grandparents or great-grandparents without a parent present for a period of 12 consecutive months or more, and is subsequently removed from the home by the minor's parents, the grandparents or great-grandparents may petition the district court for an order granting them reasonable visitation rights to the child during minority. The court shall grant the petition if it finds that visitation rights would be in the best interests of the child and would not interfere with the parent and child relationship.

Sec. 3. **REPEALER.**

Minnesota Statutes 2010, section 257C.08, subdivision 7, is repealed.