

## STATEMENT OF PURPOSE

RS27277C2 / S1322

This bill replaces the current section on grandparent visitation rights in Idaho Code § 32-719, with a new Chapter of the Idaho Code, Sections §§ 32-1801 to 32-1805. The new Chapter provides for grandparent visitation rights with a more clearly defined petition procedure. The new Chapter accomplishes four things: (1) it defines the circumstances under which a grandparent or great-grandparent may petition for visitation rights; (2) it provides for a rebuttable presumption in favor of a fit parent's decision with regards to visitation rights; (3) it provides a process under which that presumption may be rebutted; (4) it provides factors from which Idaho courts can determine the child's best interests. The bill should be construed in light of the tenants established in *Troxel v. Granville*, 530 U.S. 57, 120 S. Ct. 2054 (2000).

## FISCAL NOTE

Because this is a clarification of current statute there should be no fiscal impact to the General Fund or to county or other local government funds.

### Contact:

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**DISCLAIMER:** This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).