

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 841

Short Title: Study Grandparent Rights.

(Public)

Sponsors: Senators Forrester, Kerr, and Carpenter.

Referred to: Appropriations

April 26, 1995

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE STUDY COMMISSION ON GRANDPARENT RIGHTS.

The General Assembly of North Carolina enacts:

Section 1. (a) There is established the Legislative Study Committee on Grandparent Rights. Membership on the Commission shall be as follows:

- (1) Four members of the Senate appointed by the the President Pro Tempore of the Senate;
- (2) Four members of the House of Representatives appointed by the Speaker of the House;
- (3) Six public members, three of whom shall be appointed by the President Pro Tempore of the Senate and three of whom shall be appointed by the Speaker of the House of Representatives.

Vacancies shall be filled by the original appointing authority.

(b) The Committee shall study the following:

- (1) Whether grandparents should have a right of action for court-ordered visitation with grandchildren independent of whether a divorce or custody action has been filed;
- (2) Whether there should be a rebuttable presumption in the law that visitation with grandparents promotes the best interest of the grandchild;

- 1 (3) What remedies other than contempt should be established to ensure that
2 court-ordered grandparent visitation is enforced;
- 3 (4) Whether there should be established in each judicial district an
4 expedited process for enforcing visitation orders; and
- 5 (5) Any other issues related to grandparent visitation matters.
- 6 (c) The Committee shall have its first meeting at the call of the cochairs. The
7 President Pro Tempore of the Senate and the Speaker of the House of Representatives
8 shall each designate one of its appointees to the Committee as cochair.
- 9 (d) Committee members shall receive no salary as a result of serving on the
10 Committee but shall receive necessary subsistence and travel expenses in accordance
11 with G.S. 120-3.1, 138-5, and 138-6, as applicable.
- 12 (e) The Committee may contract for clerical and professional assistance or for
13 any other services it may require during the course of its study. The Committee may,
14 with the approval of the Legislative Services Commission, meet in the State Legislative
15 Building or the Legislative Office Building.
- 16 (f) The Committee shall report to the General Assembly the results of its study
17 and recommendations. The Committee may make an interim report on its progress to the
18 General Assembly not later than May 1, 1996. The Committee shall make its final report,
19 including recommendations and proposed legislation, on or before the convening of the
20 1997 General Assembly. Upon issuance of its final report the Committee shall expire.
- 21 Sec. 2. There is appropriated from the General Fund to the General Assembly
22 the sum of twenty-five thousand dollars (\$25,000) for the 1995-96 fiscal year and the
23 sum of twenty-five thousand dollars (\$25,000) for the 1996-97 fiscal year to implement
24 the study authorized under Section 1 of this act.
- 25 Sec. 3. This act becomes effective July 1, 1995.