

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Enrolled

Senate Bill 51

BY SENATORS CLINE, BALDWIN, ROMANO, JEFFRIES, AND

PITSENBARGER

[Passed March 6, 2020; in effect 90 days from passage]

1 AN ACT to amend and reenact §48-10-802 of the Code of West Virginia, 1931, as amended; and
2 to amend said code by adding thereto a new section, designated §48-10-803, all relating
3 to specifying forms of grandparent visitation; allowing daytime and overnight visits as well
4 as electronic communication; and defining the term “electronic communication”.

Be it enacted by the Legislature of West Virginia:

ARTICLE 10. GRANDPARENT VISITATION.

§48-10-802. Grandparent visitation orders.

1 In the court’s discretion, an order granting visitation privileges to a grandparent may
2 provide for daytime visits, overnight visits and electronic communications. For the purposes of
3 this section, the term “electronic communications” includes, but is not limited to, communications
4 by telephone, email, Skype, Facetime, text messaging and instant messaging.

§48-10-803. Supervised visitation; conditions on visitation.

1 In the court’s discretion, an order granting visitation privileges to a grandparent may
2 require supervised visitation or may place such conditions on visitation that it finds are in the best
3 interests of the child, including, but not limited to, the following:

4 (1) That the grandparent not attempt to influence any religious beliefs or practices of the
5 children in a manner contrary to the preferences of the child’s parents;

6 (2) That the grandparent not engage in, permit or encourage activities, or expose the
7 grandchild to conditions or circumstances that are contrary to the preferences of the child’s
8 parents; or

9 (3) That the grandparent not otherwise act in a manner to contradict or interfere with child-
10 rearing decisions made by the child’s parents.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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Chairman, Senate Committee

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Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker of the House of Delegates

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Day of, 2020.

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Governor