

# 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]

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

2020 MAR 24 A 9:46

FILED

SB51

# WEST VIRGINIA LEGISLATURE

## 2020 REGULAR SESSION

### Enrolled Senate Bill 51

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SECRETARY OF STATE

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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.

*Mark Hayward*  
.....  
Chairman, Senate Committee

*Noel Caputo*  
.....  
Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

*Joe Annunzio*  
.....  
Clerk of the Senate

*Steve Harris*  
.....  
Clerk of the House of Delegates

*Michelle B. Carmichael*  
.....  
President of the Senate

*Lee Haskins*  
.....  
Speaker of the House of Delegates

OFFICE OF THE CLERK  
SECRETARY OF STATE

2020 MAR 24 A 9:46

FILED

The within is approved this the 24th  
Day of March ....., 2020.

*James G. Fortson*  
.....  
Governor

PRESENTED TO THE GOVERNOR

MAR 17 2020

Time 4:02pm