

SENATE NO. 946

AN ACT FURTHER REGULATING CERTAIN VISITATION RIGHTS

*Be it enacted by the Senate and House of Representatives in General Court assembled,
And by the authority of the same, as follows:*

1 SECTION 1. Chapter 119 of the General Laws is hereby amended by striking out section 39D
2 and inserting in place thereof the following section:-

3 Section 39D. If the parents of an unmarried minor child are divorced, under a temporary order
4 or judgment of separate support, or if either or both parents are deceased, or if the unmarried
5 minor child was born out of wedlock whose paternity has been adjudicated by a court of
6 competent jurisdiction or whose father has signed an acknowledgement of paternity, the
7 grandparents or great grandparents of the minor child may be granted reasonable visitation
8 rights to the minor child during his minority by the probate and family court department of the
9 trial court upon a written finding that the visitation rights would be in the best interest of the
10 minor child; but, the adjudication of paternity or acknowledgment of paternity shall not be
11 required in order to proceed under this section where maternal grandparents or maternal great
12 grandparents are seeking the visitation rights. Visitation rights shall not be granted if the minor
13 child has been adopted by a person other than a stepparent of the child and any visitation rights

14 granted pursuant to this section before the adoption of the minor child shall be terminated upon
15 the adoption without any further action of the court.

16 A petition for grandparents or great grandparents visitation authorized under this section shall,
17 where applicable, be filed in the county within the commonwealth in which the divorce or
18 separate support complaint or the complaint to establish paternity was filed. If the divorce,
19 separate support or paternity judgment was entered without the commonwealth but the child
20 presently resides within the commonwealth, the petition may be filed in the county where the
21 child resides.