

1 AN ACT relating to family member visitation rights.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. KRS 405.021 IS REPEALED AND REENACTED TO READ AS  
4 FOLLOWS:

5 *(1) As used in this section, "family member" means a grandparent, great-*  
6 *grandparent, aunt, or uncle.*

7 *(2) The Circuit Court may grant reasonable visitation rights to a family member of a*  
8 *child if the court determines by a preponderance of the evidence that it is in the*  
9 *best interest of the child to do so. In determining the child's best interest, the*  
10 *court shall consider all relevant factors, including:*

11 *(a) The nature and stability of the relationship between the child and the family*  
12 *member seeking visitation;*

13 *(b) The amount of time the family member and child had spent together;*

14 *(c) The potential detriments and benefits to the child from granting visitation;*

15 *(d) The effect granting visitation would have on the child's relationship with*  
16 *the child's parents;*

17 *(e) The physical and emotional health of all the adults involved, parents and*  
18 *family members alike;*

19 *(f) The stability of the child's living and schooling arrangements;*

20 *(g) The wishes and preferences of the child; and*

21 *(h) The motivation of the adults participating in the proceeding.*