

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 913 Session of
1999

INTRODUCED BY WALKO, ARMSTRONG, MARKOSEK, LAUGHLIN, McCALL,
GODSHALL, SEYFERT, ORIE, BEBKO-JONES, SCRIMENTI, TRELLO,
DALEY, WOJNAROSKI, JOSEPHS, FREEMAN, LEDERER, BELFANTI,
BLAUM, HORSEY, MANN, ROBERTS, BISHOP, RAMOS, COSTA, STEELMAN,
YOUNGBLOOD AND MAHER, MARCH 17, 1999

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 17, 1999

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, providing for visitation rights and
3 partial custody when there is a deceased parent.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 5311 of Title 23 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 5311. When parent deceased.

9 (a) Parents and grandparents.--If a parent of an unmarried
10 child is deceased, the parents or grandparents of the deceased
11 parent may be granted reasonable partial custody or visitation
12 rights, or both, to the unmarried child by the court upon a
13 finding that partial custody or visitation rights, or both,
14 would be in the best interest of the child and would not
15 interfere with the parent-child relationship. The court shall
16 consider the amount of personal contact between the parents or
17 grandparents of the deceased parent and the child prior to the

1 application.

2 (b) Siblings.--If a parent of an unmarried child is the
3 victim of criminal homicide perpetrated by the other parent, the
4 siblings of the deceased parent may be granted reasonable
5 partial custody or visitation rights, or both, to the unmarried
6 child by the court upon a finding that partial custody or
7 visitation rights, or both, would be in the best interest of the
8 child and would not interfere with the parent-child
9 relationship. The court shall consider the amount of personal
10 contact between the siblings of the deceased parent and the
11 child prior to the application.

12 Section 2. This act shall take effect in 60 days.