

## AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania  
2 Consolidated Statutes, in child custody, providing for  
3 sibling visitation rights.

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

6 Section 1. Title 23 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a section to read:

8 § 5325.1. Sibling visitation rights.

9 (a) Petition.--Upon the filing of a petition for visitation  
10 by a petitioner, or by a parent or legal guardian of a  
11 petitioner if the petitioner is not an adult and the parent or  
12 legal guardian is acting on behalf of the petitioner, the court  
13 may award reasonable visitation to the petitioner in accordance  
14 with this section.

15 (b) Considerations.--In determining whether to award  
16 reasonable visitation to a petitioner, a court shall consider:

17 (1) The best interests of the child in accordance with  
18 section 5328 (relating to factors to consider when awarding

1 custody).

2 (2) Whether the petitioner is a fit and proper  
3 individual to have visitation with the child.

4 (3) Whether the petitioner has attempted to visit or  
5 otherwise spend time with the child during the 30 days  
6 immediately preceding the filing of the petition but was not  
7 allowed to visit or otherwise spend time with the child  
8 during that period as a direct result of the actions of an  
9 individual with physical custody of the child.

10 (4) Whether there is any other way for the petitioner to  
11 have visitation with the child without court intervention.

12 (5) Whether the petitioner has shown by clear and  
13 convincing evidence that the refusal, by an individual with  
14 physical custody of the child, to permit the petitioner to  
15 have visitation with the child, is unreasonable.

16 (c) Construction.--This section shall not be construed to  
17 affect any rights regarding standing or the award of custody  
18 under this chapter.

19 (d) Definitions.--As used in this section, the following  
20 words and phrases shall have the meanings given to them in this  
21 subsection unless the context clearly indicates otherwise:

22 "Petitioner." An individual who is a sibling of a child and  
23 who is seeking visitation of the child.

24 "Sibling." A brother, sister, half-brother, half-sister,  
25 stepbrother or stepsister.

26 "Visitation." As follows:

27 (1) The right to visit or otherwise spend time with a  
28 child who is a sibling.

29 (2) The term does not include the right to partial  
30 physical custody, primary physical custody, shared physical

1 custody, sole physical custody or supervised physical  
2 custody.  
3 Section 2. This act shall take effect in 60 days.