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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 895      Session of  
2007

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INTRODUCED BY LEACH, CREIGHTON, CURRY, FABRIZIO, FRANKEL,  
FREEMAN, GEIST, GINGRICH, GOODMAN, HALUSKA, KIRKLAND, KORTZ,  
McGEEHAN, MUNDY, MURT, MYERS, PALLONE, PERRY, PICKETT,  
SCHRODER, SIPTROTH, McILVAINE SMITH, SOLOBAY, STURLA, VITALI  
AND WALKO, MARCH 22, 2007

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REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, MARCH 22, 2007

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AN ACT

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

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

5 Section 1. Section 5301 of Title 23 of the Pennsylvania  
6 Consolidated Statutes is amended to read:

7 § 5301. Declaration of policy.

8 The General Assembly declares that it is the public policy of  
9 this Commonwealth, when in the best interest of the child, to  
10 [assure] do all of the following:

11 (1) Assure a reasonable and continuing contact of the  
12 child with both parents after a separation or dissolution of  
13 the marriage and the sharing of the rights and  
14 responsibilities of child rearing by both parents and  
15 continuing contact of the child or children with grandparents  
16 when a parent is deceased, divorced or separated.

1           (2) Assure reasonable and continuing contact of the  
2           child with a sibling from whom the child has been separated  
3           as a result of divorce, separation, death or court order.

4           Section 2. Title 23 is amended by adding a section to read:

5           § 5316. Sibling visitation.

6           (a) Petition.--The court may, upon petition of a sibling or  
7           a child, grant reasonable visitation rights to the child if it  
8           determines:

9                   (1) That continuing contact between the petitioner and  
10                   the child is in the best interest of the child.

11                   (2) In the case of a petitioner who is a child, that  
12                   visitation is in the best interest of the petitioner.

13           (b) Factors for consideration.--In making a determination of  
14           best interests under subsection (a), the court shall include the  
15           following factors:

16                   (1) The relationship between the child and the  
17                   petitioner. This paragraph includes the amount of personal  
18                   contact prior to filing the petition.

19                   (2) The relationship among the petitioner and other  
20                   individuals with whom the child resides.

21           Section 3. This act shall take effect in 60 days.