

HOUSE BILL No. 2988

By Committee on Federal and State Affairs

3-25

9 AN ACT concerning parenting time and visitation; relating to the weight
10 of a child's preference; amending K.S.A. 60-1616 and repealing the
11 existing section.
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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 60-1616 is hereby amended to read as follows: 60-
15 1616. (a) *Parents.* A parent is entitled to reasonable parenting time unless
16 the court finds, after a hearing, that the exercise of parenting time would
17 seriously endanger the child's physical, mental, moral or emotional health.
18 *When determining a parenting time and visitation schedule, the weight*
19 *to be given to a child's preference will depend upon the child's age, ma-*
20 *turity, intelligence and the reasons the child can state for the preference.*
21 *A clearly stated preference by a child over the age of 10 years may be*
22 *persuasive with the court.*

23 (b) *Grandparents and stepparents.* Grandparents and stepparents
24 may be granted visitation rights.

25 (c) *Modification.* The court may modify an order granting or denying
26 parenting time or visitation rights whenever modification would serve the
27 best interests of the child.

28 (d) *Enforcement of rights.* An order granting visitation rights or par-
29 enting time pursuant to this section may be enforced in accordance with
30 the uniform child custody jurisdiction and enforcement act, or K.S.A. 23-
31 701, and amendments thereto.

32 (e) *Repeated denial of rights, effect.* Repeated unreasonable denial of
33 or interference with visitation rights or parenting time granted pursuant
34 to this section may be considered a material change of circumstances
35 which justifies modification of a prior order of legal custody, residency,
36 visitation or parenting time.

37 (f) *Court ordered exchange or visitation at a child exchange and vis-*
38 *itation center.* (1) The court may order exchange or visitation to take place
39 at a child exchange and visitation center, as established in K.S.A. 75-720
40 and amendments thereto.

41 (2) Any party may petition the court to modify an order granting
42 visitation rights or parenting time to require that the exchange or transfer
43 of children for visitation or parenting time take place at a child exchange

1 and visitation center, as established in K.S.A. 75-720 and amendments
2 thereto. The court may modify an order granting visitation whenever
3 modification would serve the best interests of the child.

4 Sec. 2. K.S.A. 60-1616 is hereby repealed.

5 Sec. 3. This act shall take effect and be in force from and after its
6 publication in the statute book.