S T A T E O F N E W Y O R K

3896

2013-2014 Regular Sessions

I N S E N A T E

February 26, 2013

Introduced by Sen. DeFRANCISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the family court act, in relation to visitation by the parent or custodian of a child in a proceeding for the commitment of the guardianship and custody of a child on the ground of permanent neglect

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 634 of the family court act, as amended by chapter 666 of the laws of 1976, is amended to read as follows:

S 634. Commitment of guardianship and custody; further orders. 1. The court may enter an order under section six hundred thirty-one committing the guardianship and custody of the child to the petitioner on such conditions, if any, as it deems proper.

2. SUCH ORDER MAY INCLUDE THE GRANTING OF REASONABLE AND REGULARLY SCHEDULED VISITATION TO THE PARENT OR CUSTODIAN OF THE CHILD OR VISITATION UNDER THE SUPERVISION OF AN EMPLOYEE OF A LOCAL SOCIAL SERVICES DEPARTMENT. THE GRANTING OF VISITATION OR SUPERVISED VISITATION PURSUANT TO THIS SUBDIVISION SHALL BE BASED SOLELY ON A FINDING THAT SUCH VISITATION OR SUPERVISED VISITATION IS IN THE BEST INTEREST OF THE CHILD. NOTHING SET FORTH IN THIS SUBDIVISION SHALL BE CONSTRUED TO REQUIRE THE COURT TO GRANT VISITATION OR SUPERVISED VISITATION TO THE PARENT OR CUSTODIAN.

S 2. This act shall take effect on the thirtieth day after it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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