

3896

2013-2014 Regular Sessions

I N   S E N A T E

February 26, 2013

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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 ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 634 of the family court act, as amended by chapter  
2     666 of the laws of 1976, is amended to read as follows:  
3     S 634. Commitment of guardianship and custody; further orders. 1. The  
4     court may enter an order under section six hundred thirty-one committing  
5     the guardianship and custody of the child to the petitioner on such  
6     conditions, if any, as it deems proper.  
7     2. SUCH ORDER MAY INCLUDE THE GRANTING OF REASONABLE AND REGULARLY  
8     SCHEDULED VISITATION TO THE PARENT OR CUSTODIAN OF THE CHILD OR VISITA-  
9     TION UNDER THE SUPERVISION OF AN EMPLOYEE OF A LOCAL SOCIAL SERVICES  
10    DEPARTMENT. THE GRANTING OF VISITATION OR SUPERVISED VISITATION PURSUANT  
11    TO THIS SUBDIVISION SHALL BE BASED SOLELY ON A FINDING THAT SUCH VISITA-  
12    TION OR SUPERVISED VISITATION IS IN THE BEST INTEREST OF THE CHILD.  
13    NOTHING SET FORTH IN THIS SUBDIVISION SHALL BE CONSTRUED TO REQUIRE THE  
14    COURT TO GRANT VISITATION OR SUPERVISED VISITATION TO THE PARENT OR  
15    CUSTODIAN.  
16    S 2. This act shall take effect on the thirtieth day after it shall  
17    have become a law.

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

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