§ 1081. Visitation rights. 1. A non-custodial parent or grandparent shall have the visitation rights with a child remanded or placed in the care of a social services official pursuant to this article as conferred by order of the family court or by any order or judgment of the supreme court, or by written agreement between the parents as described in section two hundred thirty-six of the domestic relations law, subject to the provisions of section one thousand eighty-two of this part.

2. (a) A non-custodial parent or any grandparent or grandparents who have not been afforded the visitation rights described in subdivision one of this section shall have the right to petition the court for enforcement of visitation rights with a child remanded or placed in the care of a social services official pursuant to this article, as such visitation rights have been conferred by order of the family court or by any order or judgment of the supreme court, or by written agreement between the parents as described in section two hundred thirty-six of the domestic relations law.

(b) A child remanded or placed in the care of a social services official pursuant to this article or article ten-A or ten-C of this act shall have the right to move for visitation and contact with his or her siblings. The siblings of a child remanded or placed in the care of a social services official pursuant to this article or article ten-A or ten-C of this act shall have a right to petition the court for visitation and contact with such child. For purposes of this section, "siblings" shall include half-siblings and those who would be deemed siblings or half-siblings but for the termination of parental rights or death of a parent.

3. (a) The petition by a non-custodial parent shall allege that such parent has visitation rights conferred by order of the family court or by any order or judgment of the supreme court or by written agreement between the parents as described in section two hundred thirty-six of the domestic relations law, shall have a copy of such order, judgment or agreement attached thereto, shall request enforcement of such rights pursuant to this part, and shall state, when known by the petitioner, that visitation rights with the child by any grandparent or grandparents have been conferred by order of the supreme court or family court

pursuant to section seventy-two or two hundred forty of the domestic relations law, and shall provide the name and address of such grandparent or grandparents.

(b) A petition by a grandparent or grandparents shall allege that such grandparent or grandparents have been granted visitation rights with the child pursuant to section seventy-two or two hundred forty of the domestic relations law, or subdivision (b) of section six hundred fifty-one of this act, shall have a copy of such order or judgment attached thereto, and shall request enforcement of such rights pursuant to this part.

(c) A motion by a child remanded or placed in the care of a social services official pursuant to this article or article ten-A or ten-C of this act or a petition by a sibling of such child shall allege that visitation and contact would be in the best interests of both the child who has been remanded or placed and the child's sibling.

4. (a) A petition filed under paragraphs (a) or (b) of subdivision three of this section shall be served upon the respondent in a proceeding under this article, the local social services official having the care of the child, any grandparent or grandparents named in the petition as having visitation rights conferred by court order pursuant to section seventy-two or two hundred forty of the domestic relations law, and upon the child's attorney. The petition shall be served in such manner as the court may direct.

(b) A petition or motion filed under paragraph (b) of subdivision two of this section shall be served upon: (i) the respondent in the proceeding under this article or article ten-A or ten-C of this act; (ii) the local social services official having the care of the child; (iii) other persons having care, custody and control of the child, if any; (iv) the parents or other persons having care, custody and control of the sibling to be visited or with whom contact is sought; (v) any non-respondent parent in the proceeding under this article or article ten-A or ten-C of this act; (vi) such sibling himself or herself if ten years of age or older; and (vii) such sibling's attorney, if any. The petition or motion shall be served in such manner as the court may direct.

5. (a) Upon receipt of a petition filed under paragraphs (a) or (b) of subdivision two of this section, the court shall, subject to the provisions of section one thousand eighty-two of this part, require that any order of a family court or order or judgment of the supreme court, or any agreement between the parents as described in subdivision one of this section, granting visitation rights to the non-custodial parent, grandparent or grandparents, be incorporated in any preliminary order or order of placement made under this article to the extent that such order, judgment or agreement confers visitation rights. In any case where a dispositional hearing has not been held or will not be held within thirty days of the filing of such petition the court shall order the person, official, agency or institution caring for the child pursuant to this article to comply with such part of the order, judgment or agreement granting visitation rights.

(b) Upon receipt of a petition or motion filed under paragraph (c) of subdivision three of this section, the court shall determine, after giving notice and an opportunity to be heard to persons served under subdivision four of this section, whether visitation and contact would be in the best interests of the child and his or her sibling. The court's determination may be included in the dispositional order issued pursuant to section one thousand fifty-two or one thousand ninety-five of this chapter or in a permanency hearing order issued pursuant to section one thousand eighty-nine of this chapter.

(c) Violation of an order issued under this section shall be punishable pursuant to section seven hundred fifty-three of the judiciary law.