

CHAPTER 337
FORMERLY
HOUSE BILL NO. 423

AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO
DOMESTIC RELATIONS AND THIRD PARTY VISITATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Section 2405 of Title 13 of the Delaware Code by inserting the phrase “orders entered pursuant to” between the words “with” and “this.”

Section 2. Amend Section 2410 of Title 13 of the Delaware Code by striking the word “relative” as it appears in paragraphs (a) and (b) and inserting the phrase “grandparent, aunt, uncle or adult sibling” in its place.

Section 3. Amend Section 2410 of Title 13 of the Delaware Code by striking the phrase “such person and their” and inserting the phrase “the terminated parent and the terminated parent’s” in its place.

Section 4. Amend Section 2410(d)(2) of Title 13 of the Delaware Code by striking said paragraph in its entirety.

Section 5. Amend Section 2410(d)(3) of Title 13 of the Delaware Code by renumbering said paragraph as paragraph (d)(2) and inserting the phrase “adoptive parent, if there is only one adoptive parent, or both” between the words “The” and “adoptive.”

Section 6. Amend Section 2412 of Title 13 of the Delaware Code by striking the entire paragraph which begins “Notwithstanding the above.”

Section 7. Amend Section 2412(a)(2)d. of Title 13 of the Delaware Code by striking it in its entirety and inserting the following in lieu thereof:

“the parent objects to the visitation; however, the petitioner has demonstrated, by clear and convincing evidence, that the objection is unreasonable; and has demonstrated, by a preponderance of evidence, that the visitation will not substantially interfere with the parent/child relationship.”

Section 8. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

Approved July 02, 2010