

9-101.2.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, UNLESS GOOD CAUSE FOR THE AWARD OF CUSTODY OR VISITATION IS SHOWN BY CLEAR AND CONVINCING EVIDENCE, A COURT MAY NOT AWARD CUSTODY OF A CHILD OR VISITATION WITH A CHILD:

(1) TO A PARENT WHO HAS BEEN FOUND BY A COURT OF THIS STATE TO BE GUILTY OF FIRST DEGREE OR SECOND DEGREE MURDER OF THE OTHER PARENT OF THE CHILD, ANOTHER CHILD OF THE PARENT, OR ANY FAMILY MEMBER RESIDING IN THE HOUSEHOLD OF EITHER PARENT OF THE CHILD; OR

(2) TO A PARENT WHO HAS BEEN FOUND BY A COURT OF ANY STATE OR OF THE UNITED STATES TO BE GUILTY OF A CRIME THAT, IF COMMITTED IN THIS STATE, WOULD BE FIRST DEGREE MURDER OR SECOND DEGREE MURDER OF THE OTHER PARENT OF THE CHILD, ANOTHER CHILD OF THE PARENT, OR ANY FAMILY MEMBER RESIDING IN THE HOUSEHOLD OF EITHER PARENT OF THE CHILD.

(B) IF IT IS IN THE BEST INTEREST OF THE CHILD, THE COURT MAY APPROVE A SUPERVISED VISITATION ARRANGEMENT THAT ASSURES THE SAFETY AND THE PHYSIOLOGICAL, PSYCHOLOGICAL, AND EMOTIONAL WELL-BEING OF THE CHILD.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply only to offenses committed on or after the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2006.

Approved April 25, 2006.

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**CHAPTER 113**

**(Senate Bill 103)**

AN ACT concerning

**Department of Aging – Continuing Care Contracts**

FOR the purpose of providing for the exemption of certain categories of continuing care providers from a requirement that an actuarial study be included in certain applications for a renewal certificate of registration; identifying the circumstances under which certain information must be disclosed; authorizing the Secretary of Aging to waive certain requirements for a continuing care provider in the process of decertifying; requiring certain disclosures; amending existing requirements related to changes in ownership or control of a continuing care provider or facility; adding requirements regarding grievances; requiring that a continuing care agreement state that the subscriber has received the written rules of the provider; clarifying the requirements related to the designation of a beneficiary of any refundable portion of the entrance fee; clarifying the requirements involving certain continuing care agreement