

**CHAPTER 58**

**(HB 355)**

AN ACT relating to visitation rights.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

SECTION 1. A NEW SECTION OF KRS CHAPTER 403 IS CREATED TO READ AS FOLLOWS:

- (1) Notwithstanding the provisions of KRS 403.320, if a parent of a child is convicted of murder or manslaughter in the first degree of the other parent, a court shall not grant the convicted parent visitation rights with respect to that child unless the court, through a hearing, determines that visitation is in the child's best interest.*
- (2) If the court later modifies a denial of visitation to grant visitation, the court shall do so only after a hearing which establishes that visitation is in the child's best interest.*
- (3) In any hearing conducted under subsection (1) or (2) of this section:*
  - (a) Jurisdiction shall lie with the Circuit Court of the county where the child resides; and*
  - (b) The convicted parent, to obtain visitation, shall have to meet the burden of proving that visitation is in the child's best interest.*

Section 2. This Act may be cited as the Roxie Denkhoff Act.

**Approved March 6, 2000**

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