

Regular Session, 2010

SENATE BILL NO. 132

BY SENATOR MORRELL

CHILDREN. Prohibits visitation rights of a family member with culpability in death of a parent. (gov sig)

1 AN ACT

2 To enact R.S. 9:344(E), relative to visitation rights; to prohibit visitation rights of a family
3 member in certain circumstances; to provide for an effective date; and to provide for
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:344(E) is hereby enacted to read as follows:

7 §344. Visitation rights of grandparents and siblings

8 * * *

9 **E. Whenever the court finds by a preponderance of the evidence that**
10 **any family member has culpability in the death of a child's parent, the court**
11 **shall prohibit visitation between these family members and the child.**

12 Section 2. This Act shall become effective upon signature by the governor or, if not
13 signed by the governor, upon expiration of the time for bills to become law without signature
14 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
15 vetoed by the governor and subsequently approved by the legislature, this Act shall become
16 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Angela Lockett De Jean.

DIGEST

Morrell (SB 132)

Proposed law provides that whenever the court finds by a preponderance of the evidence that a family member has culpability in the death of a child's parent, the court shall prohibit visitation between the family member and the child.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 9:344(E))