

~~(4) "JOINT LEGAL CUSTODY" MEANS AN ARRANGEMENT BY WHICH THE PARENTS OF A CHILD SHARE THE DECISION MAKING AUTHORITY, RIGHTS, AND RESPONSIBILITIES RELATING TO THE HEALTH, EDUCATION, AND WELFARE OF THE CHILD.~~

~~(5) "JOINT PHYSICAL CUSTODY" MEANS AN ARRANGEMENT BY WHICH EACH PARENT OF A CHILD KEEPS THE CHILD OVERNIGHT FOR MORE THAN 35% OF THE YEAR.~~

(b) In a custody or visitation proceeding, the court [may] SHALL consider, ~~as a factor bearing on the welfare and best interests of the child~~ WHEN DECIDING CUSTODY OR VISITATION ISSUES, evidence of abuse by a party against:

- (1) the other parent of the party's child;
- (2) the party's spouse; or
- (3) any child residing within the party's household, including a child other than the child who is the subject of the custody or visitation proceeding.

(C) IF THE COURT FINDS THAT A PARTY HAS COMMITTED ABUSE AGAINST THE OTHER PARENT OF THE PARTY'S CHILD, THE PARTY'S SPOUSE, OR ANY CHILD RESIDING WITHIN THE PARTY'S HOUSEHOLD, THE COURT SHALL MAKE ARRANGEMENTS FOR CUSTODY OR VISITATION THAT BEST PROTECT:

- (1) THE CHILD WHO IS THE SUBJECT OF THE PROCEEDING AND; AND
- (2) THE VICTIM OF THE ABUSE.

~~(D) IF THE COURT FINDS THAT A PARTY HAS COMMITTED ABUSE AGAINST THE OTHER PARENT OF THE PARTY'S CHILD, THE PARTY'S SPOUSE, OR ANY CHILD RESIDING WITHIN THE PARTY'S HOUSEHOLD, THERE SHALL BE A REBUTTABLE PRESUMPTION THAT JOINT CUSTODY IS NOT IN THE BEST INTERESTS OF THE CHILD.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1995.

Approved April 11, 1995.

CHAPTER 13

(House Bill 1153)

AN ACT concerning

Police Officers - Protective Body Armor

~~FOR the purpose of requiring the Police Training Commission to require each law enforcement unit in the State to make available on request and in accordance with the State budget protective body armor to each police officer in that unit; requiring the Police Training Commission to require each law enforcement unit in the State~~