

CHAPTER 244
SB 253 – FINAL VERSION

03/06/14 0713s
06/04/14 1990CofC

2014 SESSION

14-2678
05/04

SENATE BILL **253**

AN ACT relative to grounds for termination of parental rights.

SPONSORS: Sen. Lasky, Dist 13; Sen. Forrester, Dist 2; Sen. Soucy, Dist 18; Sen. Carson, Dist 14; Rep. S. Chandley, Hills 22; Rep. Cushing, Rock 21

COMMITTEE: Judiciary

ANALYSIS

This bill provides that the court shall terminate parental rights in cases where the child's birth is the result of sexual assault of the birth mother.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 244
SB 253 – FINAL VERSION

03/06/14 0713s
06/04/14 1990CofC

14-2678
05/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT relative to grounds for termination of parental rights.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 244:1 New Section; Termination of the Parent-Child Relationship in Cases of Sexual Assault.
2 Amend RSA 170-C by inserting after section 5 the following new section:

3 170-C:5-a Termination of the Parent-Child Relationship in Cases of Sexual Assault. A petition
4 for termination of the parent-child relationship shall be granted in cases where the child's birth is
5 the result of sexual assault of the birth mother and where termination of the parent-child
6 relationship is in the best interests of the child. This section shall apply to a person who has been
7 found to be the father of a child and who:

8 I. Has been convicted of or who has pled guilty or nolo contendere to a violation of sexual
9 assault as defined in RSA 632-A:2 through RSA 632-A:4, or a similar statute in another state against
10 the birth mother for his conduct in fathering the child; or

11 II. At a fact-finding hearing, is found beyond a reasonable doubt to have fathered the child
12 through an act of non-consensual sexual penetration.

13 244:2 Effective Date. This act shall take effect January 1, 2015.

14 Approved: July 21, 2014

15 Effective Date: January 1, 2015