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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1512 Session of  
2015

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INTRODUCED BY TALLMAN, METCALFE, PICKETT, MALONEY, KNOWLES,  
MCGINNIS, DUSH, DIAMOND, B. MILLER, FEE, KAUFFMAN, GIBBONS  
AND ZIMMERMAN, AUGUST 26, 2015

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REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, AUGUST 26, 2015

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AN ACT

1 Providing for parental rights protection.

2 The General Assembly of the Commonwealth of Pennsylvania  
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Parental  
6 Rights Protection Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall  
9 have the meanings given to them in this section unless the  
10 context clearly indicates otherwise:

11 "Commonwealth agency." The Commonwealth, including the  
12 Executive Department and its boards and commissions; an  
13 independent administrative department, board and commission; or  
14 a public official thereof, acting under color of State law.

15 "Non-Commonwealth agency." A political subdivision,  
16 municipal authority or any other local government  
17 instrumentality authorized by law, or a public official thereof

1 under color of State law.

2 Section 3. Parental rights protected.

3 (a) General rule.--The liberty of a parent to direct the  
4 upbringing, education and care of the parent's child is a  
5 fundamental right.

6 (b) Infringement.--Neither a Commonwealth agency nor a non-  
7 Commonwealth agency may infringe upon this right without  
8 demonstrating that its governmental interest as applied to the  
9 person is of the highest order and not otherwise served.

10 Section 4. Applicability.

11 This act shall apply to any State or local law or ordinance  
12 and the implementation of that law or ordinance, whether  
13 statutory or otherwise and whether adopted or effective prior to  
14 or after the effective date of this act. Any law enacted by the  
15 General Assembly after the effective date of this act shall be  
16 subject to this act unless the General Assembly expressly  
17 excludes that law from this act by specific reference to this  
18 act.

19 Section 5. Effective date.

20 This act shall take effect in 60 days.