

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 1984

PRINTER NO. 2789

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

October 25, 2019

PRIME SPONSOR

Representative Benninghoff

DESCRIPTION

House Bill 1984 amends Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes so that the victims of rape and incest may terminate the parental rights of the rapist without first identifying another individual who has a present intent to adopt the child.

The bill amends Section 2512 of Title 23 by providing an exception to the general rule that if a parent seeks to terminate the parental rights of the other parent, the parent must first identify an individual with a present intention to adopt and indicate that adoption is presently contemplated. Specifically, if the petitioner is a parent and Section 2514 applies, or if the petitioner is an agency, the petitioner shall not be required to aver that an adoption is presently contemplated nor that a person with present intention to adopt exists.

The bill adds Section 2514 (relating to special provisions when child conceived as a result of rape or incest) to provide that, notwithstanding any provision of law to the contrary, when a victim seeks to terminate the parental rights of the rapist on the grounds that the child is conceived as a result of rape or incest, the victim need not first establish that:

- The petitioner will assume custody of the child until the child is adopted;
- Adoption is presently contemplated; or
- A person with a present intention to adopt exists.

House Bill 1984 stipulates that parental rights shall be terminated if all other legal requirements have been met.

The bill applies to petitions to involuntarily terminate parental rights filed on or after the effective date.

This act shall take effect in 60 days.

FISCAL IMPACT:

House Bill 1984 will have no fiscal impact on Commonwealth funds.