

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1204 Session of 2020

INTRODUCED BY FARNESE, JUNE 21, 2020

REFERRED TO JUDICIARY, JUNE 21, 2020

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in proceedings prior to petition to
3 adopt, further providing for petition for involuntary
4 termination and providing for special provisions when child
5 conceived as a result of rape or incest.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 2512(b) of Title 23 of the Pennsylvania
9 Consolidated Statutes is amended to read:

10 § 2512. Petition for involuntary termination.

11 * * *

12 (b) Contents.--The following apply:

13 (1) The petition shall set forth specifically those
14 grounds and facts alleged as the basis for terminating
15 parental rights. [The]

16 (2) Except as provided in paragraph (3), the petition
17 filed under this section shall also contain an averment that
18 the petitioner will assume custody of the child until such
19 time as the child is adopted. [If the petitioner is an agency
20 it]

1 (3) If the petitioner is a parent and section 2514
2 (relating to special provisions when child conceived as a
3 result of rape or incest) applies, or if the petitioner is an
4 agency, the petitioner shall not be required to aver that an
5 adoption is presently contemplated nor that a person with a
6 present intention to adopt exists.

7 * * *

8 Section 2. Title 23 is amended by adding a section to read:
9 § 2514. Special provisions when child conceived as a result of
10 rape or incest.

11 Notwithstanding any other provision of law to the contrary,
12 when a petition has been filed by a parent seeking to
13 involuntarily terminate parental rights of the other parent
14 under section 2511(a)(7) (relating to grounds for involuntary
15 termination), the following apply:

16 (1) The petitioner shall not be required to aver that:

17 (i) the petitioner will assume custody of the child
18 until such time as the child is adopted;

19 (ii) adoption is presently contemplated; or

20 (iii) a person with a present intention to adopt
21 exists.

22 (2) Parental rights shall be terminated if all other
23 legal requirements have been met.

24 Section 3. The amendment or addition of 23 Pa.C.S. §§
25 2512(b) and 2514 apply to petitions to involuntarily terminate
26 parental rights filed on or after the effective date of this
27 section.

28 Section 4. This act shall take effect in 60 days.