

Termination of Parental Rights for Rapists

The Act provides that a person convicted of rape in which a child was born as a result of the offense shall lose parental rights, visitation rights, and rights of inheritance with respect to that child; provides for an exception at the request of the mother, and provides that a court shall impose on obligation of child support against the offender unless waived by the mother and, if applicable, a public agency supporting the child.

Submitted as:

Kentucky

[SB108](#)

Status: Signed into law on April 25, 2014.

Suggested State Legislation

(Title, enacting clause, etc.)

- 1 Section 1. [*Termination of parental rights for rapists.*]
2 (1) The [Commonwealth] recognizes that certain victims of sexual assault may conceive a child
3 as a result of the sexual assault and may choose to bear and raise the child. The
4 [Commonwealth] also recognizes that victims of a sexual assault who have elected to raise a
5 child born as a result of the sexual assault, as well as that child, may suffer serious emotional
6 or physical trauma if the perpetrator of the assault is granted parental rights with the child.
7 (2) Except as provided in subsection (3) of this section, any person who has been convicted of a
8 felony offense under [Insert citation (laws against rape)], in which the victim of that offense
9 has conceived and delivered a child, shall not have custody or visitation rights, or the rights
10 of inheritance under [Insert citation] with respect to that child.
11 (3) The mother of the child may waive the protection afforded under subsection (2) of this
12 section regarding visitation and request that the court grant reasonable visitation rights with
13 the child if paternity has been acknowledged.
14 (4) Unless waived by the mother and, if applicable, the public agency substantially contributing
15 to the support of the child, a court shall establish a child support obligation against the father
16 of the child pursuant to [Insert citation.]