

**CHAPTER 93**  
**SB 166 - FINAL VERSION**

20Apr2017... 1008h

2017 SESSION

17-0921  
05/04

SENATE BILL                    ***166***

AN ACT                    relative to termination of the parent-child relationship in cases of sexual assault.

SPONSORS:            Sen. Lasky, Dist 13; Sen. Birdsell, Dist 19; Sen. Bradley, Dist 3; Sen. Carson, Dist 14; Sen. Gray, Dist 6; Sen. Hennessey, Dist 5; Sen. Innis, Dist 24; Sen. Kahn, Dist 10; Sen. Reagan, Dist 17; Sen. Soucy, Dist 18; Sen. Watters, Dist 4; Rep. Keans, Straf. 23; Rep. Wall, Straf. 6; Rep. Walz, Merr. 23

COMMITTEE:          Judiciary

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ANALYSIS

      This bill provides that upon a showing that the child's birth is the result of sexual assault of the birth mother, there shall be a rebuttable presumption that termination of the biological father's parental rights is in the best interest of the child.

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                              Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Seventeen*

AN ACT                      relative to termination of the parent-child relationship in cases of sexual assault.

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

1            93:1 Termination of the Parent-Child Relationship in Cases of Sexual Assault. Amend the  
2 introductory paragraph of RSA 170-C:5-a to read as follows:

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. ***Upon a showing, beyond a reasonable doubt,***  
7 ***that the child's birth is the result of sexual assault of the birth mother, there shall be a***  
8 ***rebuttable presumption that termination of the biological father's parent-child***  
9 ***relationship with the child is in the best interest of the child.*** This section shall apply to a  
10 person who has been found to be the father of a child and who:

          93:2 Effective Date. This act shall take effect January 1, 2018.

Approved: June 07, 2017

Effective Date: January 01, 2018