

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1999**

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**HOUSE BILL 1678**

Short Title: Study Rapist Parental Rights.

(Public)

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Sponsors: Representatives Ellis; and Morris.

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Referred to: Rules, Calendar, and Operations of the House.

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May 24, 2000

**A BILL TO BE ENTITLED**

**AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO  
STUDY THE PARENTAL RIGHTS OF PERSONS WHO CONCEIVE A CHILD  
AS A RESULT OF A RAPE AND HOW THOSE RIGHTS MAY BE  
TERMINATED.**

The General Assembly of North Carolina enacts:

Section 1. The Legislative Research Commission is authorized to study issues relating to the parental rights of persons who impregnate another person during the commission of rape.

Section 2. The study shall include the following issues:

- (1) Whether the parental rights of the rapist can be terminated as a matter of law upon conviction of the crime of rape of the mother.
- (2) Whether rape should be grounds for termination of parental rights prior to the birth of a child.
- (3) Whether the parental rights of the rapist can be denied, as a matter of law, when the conception of the child was as a result of the rape.
- (4) Whether willingness to consent to adoption or voluntary release of parental rights can be excluded as a condition of a plea bargain agreement on a rape charge.

1           Section 3. The Commission shall report its findings and recommendations,  
2 including any legislative proposals, to the 2001 Regular Session of the General  
3 Assembly.

4           Section 4. There is appropriated from the General Fund to the Legislative  
5 Research Commission the sum of twenty-five thousand dollars (\$25,000) for the 2000-  
6 2001 fiscal year to conduct the study authorized by this act.

7           Section 5. This act becomes effective July 1, 2000.