



ARIZONA HOUSE OF REPRESENTATIVES

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Senate: JUD DPA/SE 8-0-0-0 | 3rd Read 30-0-0-0

House: CJR DP 9-0-0-0

SB 1007: parental rights; petition; sexual assault

Sponsor: Senator Steele, LD 9

House Engrossed

Overview

Provides a reason to justify the termination of a parent-child relationship if the child is conceived as a result of sexual assault.

History

The juvenile court has exclusive jurisdiction regarding petitions to terminate the parent-child relationship ([A.R.S. § 8-532](#)).

Any person with legitimate interest in the welfare of a child may file a petition to terminate the parent-child relationship. Reasons to justify the termination of the parent-child relationship include:

- 1) Abandonment of the child by the parent;
- 2) Neglect or willfully abuse of a child by the parent;
- 3) The parents have relinquished their rights to the child or consented to adoption; or
- 4) Specified circumstances where the parent is unable to perform parental responsibilities ([A.R.S. § 8-533](#)).

A court order terminating the parent-child relationship shall separate the parent and child of all legal rights, privileges, duties and obligations to each other except the child's right to inheritance and support from the parent. The right of inheritance and support can only be terminated by a final order of adoption ([A.R.S. § 8-539](#)).

Provisions

1. Expands the list of grounds that justify termination of a parent-child relationship to include a finding of clear and convincing evidence that the parent committed sexual assault against a petitioning parent, and the child was born as a result of the sexual assault. (Sec. 1)
2. Permits the court to accept the parent's guilty plea or conviction for sexual assault or an equivalent offense in another jurisdiction as evidence that the child was conceived as a result of sexual assault by that parent. (Sec. 1)
3. Defines oral *sexual contact*, *sexual assault* and *sexual intercourse*. (Sec. 1)
4. Makes a technical change. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note