
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1984 Session of
2019

INTRODUCED BY BENNINGHOFF, BERNSTINE, BOBACK, BROOKS, BROWN,
DeLUCA, DIAMOND, EVERETT, FRITZ, GABLER, GILLEN, GLEIM,
HERSHEY, KAUFFMAN, KEEFER, KINSEY, LAWRENCE, MARKOSEK,
McNEILL, MIHALEK, MILLARD, MOUL, PICKETT, READSHAW, ROTHMAN,
RYAN, SCHLOSSBERG, SCHWEYER, TOEPEL, TOOHL, YOUNGBLOOD,
GILLESPIE AND COX, OCTOBER 25, 2019

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 25, 2019

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

1 the petitioner will assume custody of the child until such
2 time as the child is adopted. [If the petitioner is an agency
3 it]

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

10 * * *

11 Section 2. Title 23 is amended by adding a section to read:
12 § 2514. Special provisions when child conceived as a result of
13 rape or incest.

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

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

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

22 (ii) adoption is presently contemplated; or

23 (iii) a person with a present intention to adopt
24 exists.

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

27 Section 3. The amendment or addition of 23 Pa.C.S. §§
28 2512(b) and 2514 apply to petitions to involuntarily terminate
29 parental rights filed on or after the effective date of this
30 section.

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