

ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013
COMMITTEE STATEMENT
LB182

Hearing Date: Wednesday February 06, 2013
Committee On: Judiciary
Introducer: Avery
One Liner: Change paternity provisions for a child conceived as a result of sexual assault

Roll Call Vote - Final Committee Action:
Indefinitely postponed

Vote Results:

Aye:	7	Senators Ashford, Chambers, Christensen, Coash, Davis, McGill, Seiler
Nay:		
Absent:		
Present Not Voting:	1	Senator Lathrop

Proponents:

SEN. BILL AVERY
PATRICIA SAMUELS
ROBERT SANFORD

Representing:

INTRODUCER
SELF
NE DOMESTIC VIOLENCE SEXUAL ASSAULT
COALITION

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 182 would amend existing statute sections to change laws regarding a child conceived as a result of a sexual assault. If the biological father of the child is convicted of the sexual assault, he would not be considered part of the family for purposes of requiring reasonable efforts to preserve or reunify the family. If the biological father of the child is convicted of the sexual assault, the county attorney must petition the court to terminate his parental rights and the conviction would be considered conclusive evidence that the rights should be terminated unless the biological mother or guardian consents otherwise and the court finds it is in the best interest of the child not to terminate the father's parental rights. The court may order the father to pay child support even if his rights are terminated. The court must stay a paternity action if there is a pending criminal allegation of first degree sexual assault against the alleged father. If the father is not guilty, the paternity action shall proceed. If the father is found guilty, the paternity is established by the conviction and the parental rights of the father may be terminated.

Brad Ashford, Chairperson