

By Senator Abruzzo

25-00831A-13

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1 A bill to be entitled

2 An act relating to termination of parental rights;  
3 amending s. 39.806, F.S.; providing that a parent's  
4 rights may be terminated if the court determines, by  
5 clear and convincing evidence, that the child was  
6 conceived during an act of sexual battery, the parent  
7 is found guilty of sexual battery, or the court is  
8 presented with documentary evidence that the parent  
9 pled guilty to the charge of sexual battery; providing  
10 an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Paragraphs (m) and (n) are added to subsection  
15 (1) of section 39.806, Florida Statutes, and subsection (2) of  
16 that section is amended, to read:

17 39.806 Grounds for termination of parental rights.—

18 (1) Grounds for the termination of parental rights may be  
19 established under any of the following circumstances:

20 (m) The court determines by clear and convincing evidence  
21 that the child was conceived during an act of sexual battery, as  
22 defined in s. 794.011. Termination of parental rights is in the  
23 best interests of the child if the child was conceived under  
24 such circumstances.

25 (n) When the parent has been found guilty of the charge of  
26 sexual battery, as defined in s. 794.011, and that act of sexual  
27 battery resulted in the conception of a child with the moving  
28 party or the court is presented with documentary evidence of the  
29 parent's plea of guilty to the charge of sexual battery,

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30 regardless of adjudication, and that act of sexual battery  
31 resulted in the conception of a child with the moving party.

32 (2) Reasonable efforts to preserve and reunify families are  
33 not required if a court of competent jurisdiction has determined  
34 that any of the events described in paragraphs (1) (b)-(d) or  
35 (f)-(m)~~(l)~~ have occurred.

36 Section 2. This act shall take effect July 1, 2013.