

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

# A Bill

HOUSE BILL 1002

5 By: Representative J. Edwards  
6

## For An Act To Be Entitled

8 AN ACT TO TERMINATE ALL PARENTAL RIGHTS OF A PERSON  
9 CONVICTED OF RAPE TO A CHILD CONCEIVED AS A RESULT OF  
10 THE RAPE; TO DECLARE AN EMERGENCY; AND FOR OTHER  
11 PURPOSES.  
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## Subtitle

14 TO TERMINATE ALL PARENTAL RIGHTS OF A  
15 PERSON CONVICTED OF RAPE TO A CHILD  
16 CONCEIVED AS A RESULT OF THE RAPE AND TO  
17 DECLARE AN EMERGENCY.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code Title 9, Chapter 10, Subchapter 1 is amended  
24 to add an additional section to read as follows:

25 9-10-121. Termination of parental rights for putative fathers  
26 convicted of rape.

27 All parental rights of a putative father to a child conceived as a  
28 result of a rape shall be terminated immediately upon conviction of the rape  
29 in which the child was conceived under § 5-14-103.  
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31 SECTION 2. Arkansas Code § 5-14-103, concerning persons convicted of  
32 rape, is amended to add an additional subdivision to read as follows:

33 (e) A person convicted of rape is subject to § 9-10-121.  
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35 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the  
36 General Assembly of the State of Arkansas that pregnancy from rape against



1 women occurs; that women who get pregnant as a result of rape and decide to  
2 carry their pregnancy to term should not have a lifetime tethered to their  
3 rapists due to custody issues; and that this act is immediately necessary to  
4 eliminate the possibility that a rapist convicted in a court of law can have  
5 custody rights to any child conceived and born from such a rape. Therefore,  
6 an emergency is declared to exist, and this act being immediately necessary  
7 for the preservation of the public peace, health, and safety shall become  
8 effective on:

9 (1) The date of its approval by the Governor;

10 (2) If the bill is neither approved nor vetoed by the Governor,  
11 the expiration of the period of time during which the Governor may veto the  
12 bill; or

13 (3) If the bill is vetoed by the Governor and the veto is  
14 overridden, the date the last house overrides the veto.

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