

**SUBJECT:** Terminating parental rights for the sexual assault of a co-parent

**COMMITTEE:** Juvenile Justice and Family Issues — committee substitute recommended

**VOTE:** 6 ayes — Dutton, Dale, Biedermann, Moody, Schofield, Thierry  
0 nays  
1 present not voting — Cain

**WITNESSES:** For — Donna Bloom, Denton County Friends of the Family; Chris Kaiser, Texas Association Against Sexual Assault; Jared Julian; Rachel McPartland; (*Registered, but did not testify*: Jim Grace, Houston Area Women's Center; Julie Fleming and Courtney Szigetvari, Left Up To Us; Will Francis, National Association of Social Workers - Texas Chapter; Amy Bresnen, Texas Family Law Foundation; Glenn Scott)  
  
Against — None

**BACKGROUND:** Family Code, sec. 161.001 allows a court to involuntarily terminate the parental rights of a person after finding by clear and convincing evidence that the parent has committed one or more dangerous or neglectful acts described in that section.  
  
Observers have noted that some sexual assault survivors currently must co-parent with their attacker and do not have a readily available remedy under current law.

**DIGEST:** CSHB 1766 would make a conviction or community supervision, including deferred adjudication community supervision, for the sexual assault of a co-parent grounds to involuntarily terminate the offender's parental rights to a child shared with the victim. Courts still could order child support payments after termination if the offender was financially able.  
  
The bill would take effect September 1, 2017, and would apply only to a

suit affecting the parent-child relationship filed on or after that date.

NOTES: A companion bill, SB 77 by Nelson, was approved by the Senate on April 3 and referred to the House Committee on Juvenile Justice and Family Issues on April 13.