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1 AN ACT relating to the rights of victims of sexual offenses.

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3	Section 1	KRS 403.322 i	s amended to read	d as follows.
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- 4 (1) The Commonwealth recognizes that certain victims of sexual assault may conceive
- 5 a child as a result of the sexual assault and may choose to bear and raise the child.
- The Commonwealth also recognizes that victims of a sexual assault who have
- 7 elected to raise a child born as a result of the sexual assault, as well as that child,
- 8 may suffer serious emotional or physical trauma if the perpetrator of the assault is
- granted parental rights with the child.
- 10 (2) Except as provided in subsection (3) of this section, any person who has been
- 11 convicted of a felony offense under KRS Chapter 510, or a comparable offense
- 12 from another jurisdiction, in which the victim of that offense has conceived and
- delivered a child, shall not have custody or visitation rights, or the rights of
- inheritance under KRS Chapter 391 with respect to that child.
- 15 (3) The <u>adult</u> mother of the child may waive the protection afforded under subsection
- 16 (2) of this section regarding visitation and request that the court grant reasonable
- visitation rights with the child if paternity has been acknowledged.
- 18 (4) Unless waived by the mother, or a guardian of a minor mother or a de facto
- 19 <u>custodian of the child in the case of a minor mother</u>, and, if applicable, the public
- agency substantially contributing to the support of the child, a court shall establish a
- 21 child support obligation against the father of the child pursuant to KRS 403.211.
- Section 2. KRS 405.028 is amended to read as follows:
- 23 (1) Except as provided in subsection (2) of this section, any person who has been
- 24 convicted of a felony offense under KRS Chapter 510, or a comparable offense
- 25 <u>from another jurisdiction</u>, in which the victim of that offense has conceived and
- delivered a child, shall not have custody or visitation rights, or the right of
- inheritance under KRS Chapter 391 with respect to that child.

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1	(2)	The <u>adult</u> mother of the child may waive the protection afforded under subsection
2		(1) of this section regarding visitation and request that the court grant reasonable
3		visitation rights with the child if paternity has been acknowledged.
4	(3)	Unless waived by the mother, or a guardian of a minor mother or a de facto
5		custodian of the child in the case of a minor mother, and, if applicable, the public
6		agency substantially contributing to the support of the child, a court shall establish a
7		child support obligation against the father of the child pursuant to KRS 403.211. As
8		used in this subsection, "de facto custodian" has the same meaning as in KRS
9		403.270.

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