

House Bill 369

By: Representatives Fleming of the 121st, Oliver of the 82nd, Lindsey of the 54th, Harbin of the 122nd, Sims of the 123rd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Sections 15-11-28 and 19-7-1 of the Official Code of Georgia Annotated,
2 relating to jurisdiction of juvenile court and in whom parental power lies and how such
3 power is lost, respectively, so as to provide for termination of parental rights under certain
4 circumstances; to change provisions relating to the exclusive original jurisdiction of juvenile
5 court; to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 15-11-28 of the Official Code of Georgia Annotated, relating to jurisdiction
9 of juvenile court, is amended by revising subparagraph (a)(2)(C) as follows:

10 "(C) For the termination of the legal parent-child relationship and the rights of the
11 biological father who is not the legal father of the child, other than that in connection
12 with adoption proceedings under Article 1 of Chapter 8 of Title 19, in which the
13 superior courts shall have concurrent jurisdiction to terminate the legal parent-child
14 relationship and the rights of the biological father who is not the legal father of the child
15 in accordance with Article 2 of this chapter;"

16 **SECTION 2.**

17 Code Section 19-7-1 of the Official Code of Georgia Annotated, relating to in whom parental
18 power lies and how such power is lost, is amended in subsection (b) by deleting "or" at the
19 end of paragraph (5), by replacing the period with a semicolon at the end of paragraph (6),
20 and by adding two new paragraphs to read as follows:

21 "(7) A superior court order terminating parental rights in an adoption proceeding in
22 accordance with Chapter 8 of this title; or
23 (8) A superior court order terminating parental rights in a petition for legitimation, a
24 petition to establish paternity, a divorce proceeding, or a custody proceeding; provided,
25 however, that parental rights may only be terminated in a domestic relations proceeding

26 if the legal father of the child is determined not to be the biological father of such child
27 and such termination is in the best interest of such child."

28 **SECTION 3.**

29 All laws and parts of laws in conflict with this Act are repealed.