

**JOINT COMMITTEE ON THE JUDICIARY**  
**BILL SUMMARY**

<b>BILL NO.</b>	<b>H1661</b>
<b>TITLE:</b>	An Act to protect victims of rape and children conceived during the commission of said offense.
<b>SPONSOR:</b>	Rep. David F. DeCoste and Rep. Alyson M. Sullivan-Almeida
<b>COSPONSOR(S):</b>	None
<b>HEARING DATE:</b>	June 10, 2025
<b>PRIOR HISTORY:</b>	H1462 (2023-2024) H1539 (2021-2022) H3882 (2019-2020)
<b>SENATE BILL:</b>	S1185 (Montigny)
<b>CURRENT LAW:</b>	<p>Section 38 of Chapter 209 of the General Laws requires the Court to consider evidence of past or present abuse toward a parent or child as a factor contrary to the best interest of the child when issuing any temporary or permanent custody order.</p> <p>Section 22 of Chapter 265 of the General Laws criminalizes sexual intercourse against the will of another person by force or by threat of force. It is punishable by up to life imprisonment.</p> <p>Section 22A of Chapter 265 criminalizes sexual intercourse with a child under 16 years of age by force against the child's will or by threat of bodily injury. This is punishable by up to life imprisonment.</p>
<b>BILL SUMMARY:</b>	<p>Section 1 – Adds a new Section 39 to Chapter 209 permitting a woman to petition to terminate her husbands' parental rights, which will be granted if the court determines by clear and convincing evidence that a child of the marriage was conceived in violation of either Section 22 or 22A of Chapter 265. It creates a presumption that this termination is in the best interest of the child if conception was a result of unlawful sexual battery.</p> <p>Section 2 – Adds a new Section 1A to Chapter 209C permitting a woman to petition to terminate a perpetrator's parental rights, which will be granted if the court determines by clear and convincing evidence that the child was conceived in violation of either Section 22 or 22A of Chapter 265. It creates a presumption that this termination is in the best interest of the child if conception was a result of unlawful sexual battery.</p>