

**SENATE BILL NO. 2185**

Introduced by

Senators Bakke, Myrdal, K. Roers

Representatives Boschee, K. Koppelman

1 A BILL for an Act to amend and reenact subsection 1 of section 27-20-44 of the North Dakota  
2 Century Code, relating to termination of parental rights.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsection 1 of section 27-20-44 of the North Dakota Century  
5 Code is amended and reenacted as follows:

- 6 1. The court by order may terminate the parental rights of a parent with respect to the  
7 parent's child if:
- 8 a. The parent has abandoned the child;
  - 9 b. The child is subjected to aggravated circumstances as defined under  
10 subsection 3 of section 27-20-02;
  - 11 c. The child is a deprived child and the court finds:
    - 12 (1) The conditions and causes of the deprivation are likely to continue or will not  
13 be remedied and that by reason thereof the child is suffering or will probably  
14 suffer serious physical, mental, moral, or emotional harm; or
    - 15 (2) The child has been in foster care, in the care, custody, and control of the  
16 department, or a county social service board, or, in cases arising out of an  
17 adjudication by the juvenile court that a child is an unruly child, the division  
18 of juvenile services, for at least four hundred fifty out of the previous six  
19 hundred sixty nights; or
  - 20 d. The written consent of the parent acknowledged before the court has been given.
  - 21 e. The parent has pled guilty or nolo contendere to, or has been found guilty of  
22 engaging in a sexual act under section 12.1-20-03 or 12.1-20-04, the sexual act  
23 led to the birth of the parent's child, and termination of the parental rights of the  
24 parent is in the best interests of the child.