

This Document can be made available  
in alternative formats upon request

State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **101**

01/17/2013 Authored by Ward, J.E.,  
The bill was read for the first time and referred to the Committee on Civil Law

1.1 A bill for an act  
1.2 relating to children; imposing a child support obligation on individuals whose  
1.3 parental rights have been terminated; amending Minnesota Statutes 2012,  
1.4 sections 260C.317, subdivision 1; 518A.26, subdivision 20.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 260C.317, subdivision 1, is amended to  
1.7 read:

1.8 Subdivision 1. **Termination.** (a) If, after a hearing, the court finds by clear and  
1.9 convincing evidence that one or more of the conditions set out in section 260C.301 exist,  
1.10 it may terminate parental rights. Upon the termination of parental rights all rights, powers,  
1.11 privileges, immunities, duties, and obligations, including any rights to custody, control, or  
1.12 visitation, ~~or support~~ existing between the child and parent shall be severed and terminated  
1.13 and the parent shall have no standing to appear at any further legal proceeding concerning  
1.14 the child. Provided, however, that a parent whose parental rights are terminated:

1.15 (1) shall remain liable for the unpaid balance of any support obligation owed under a  
1.16 court order upon the effective date of the order terminating parental rights; ~~and~~

1.17 (2) may be a party to a communication or contact agreement under section 259.58; and

1.18 (3) may be ordered to pay child support if:

1.19 (i) the court terminated the parental rights of the parent based on findings that one or  
1.20 more of the conditions listed in section 260C.301, subdivision 1, clause (b), exists; and

1.21 (ii) the court finds that imposition of a child support obligation is in the best interests  
1.22 of the child.

2.1            (b) Child support shall be calculated according to section 518A.34. Any child  
2.2            support obligation imposed under paragraph (a), clause (3), shall terminate when the  
2.3            child is adopted.

2.4            Sec. 2. Minnesota Statutes 2012, section 518A.26, subdivision 20, is amended to read:

2.5            Subd. 20. **Support money; child support.** "Support money" or "child support"  
2.6            means an amount for basic support, child care support, and medical support pursuant to:

2.7            (1) an award in a dissolution, legal separation, annulment, or parentage proceeding  
2.8            for the care, support and education of any child of the marriage or of the parties to the  
2.9            proceeding;

2.10           (2) a contribution by parents ordered under section 256.87; or

2.11           (3) support ordered under section 260C.317, subdivision 1, paragraph (a), clause (3),  
2.12           or chapter 518B or 518C.