

HJR 26 -- Parental Rights

Sponsor: Richardson

Upon voter approval, this proposed constitutional amendment specifies that parents have a fundamental right to exercise exclusive control over the care, custody, and upbringing of their minor children, including all decisions involving the discipline, education, religious instruction, health, medical care, place of habitation, and general well-being of the minor children.

The resolution prohibits the state and any of its political subdivisions from infringing on this right; however the right can be modified by a court when a parent has been found guilty of or pleads guilty to a crime of violence against a child, abuse of a child, kidnapping of a child, abandonment of a child, sexual abuse of a child, sexual conduct or any other sexual offense against a child, criminal nonsupport, or endangering the welfare of a child; or when a parent has been found by a court by clear and convincing evidence to have committed child abuse, child neglect or medical neglect; or as a result of adoption, child abandonment, mental incompetency or marital dissolution proceedings, or through the voluntary consent of the parent of a child.

Law enforcement officers and courts can continue to carry out their duties to protect minor children.