

HB 2426 -- PARENTAL RIGHTS

SPONSOR: Keathley

This bill prohibits governmental authorities from restricting the fundamental right of a parent to direct the upbringing, education, health care, or mental health care of that parent's child, unless the governmental authority demonstrates that application of the restriction to the parent and the child is essential to further a compelling governmental interest and is the least-restrictive means of furthering that compelling governmental interest.

The bill establishes several rights and responsibilities exclusively reserved to a parent without obstruction by or interference from this state, including, but not limited to, the right to access and review all written and electronic educational records relating to the child, to access and review all health and medical records of the child, to consent in writing before a governmental authority makes a video or voice recording of the child, and to be notified promptly if any governmental authority suspects that abuse, neglect, or any criminal offense has been committed against the child.

A parent who believes his or her rights have been violated under the provisions of this bill may assert that violation as a claim or defense in a judicial or administrative proceeding.

Additionally, the bill modifies who may give consent to surgical or medical treatment. Currently, a minor is able to consent to his or her own health care as it relates to pregnancy, but excluding abortions; sexually transmitted infections; and substance use disorder. This bill repeals the ability for a minor to consent to his or her own health care in cases of sexually transmitted infections or substance use disorder, and provides that only a parent shall consent to treatment regarding a minor obtaining an abortion.