

1 AN ACT relating to the rights of parents.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 405 IS CREATED TO
4 READ AS FOLLOWS:

5 *The General Assembly finds that the general welfare and material well-being of the*
6 *citizens of the Commonwealth is dependent upon a clear understanding of parental*
7 *rights. Unless rights have been legally waived or legally terminated, parents have*
8 *inalienable rights that are honored and upheld under the Constitution, statutes, or*
9 *laws of the Commonwealth.*

10 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 405 IS CREATED TO
11 READ AS FOLLOWS:

12 *(1) As used in this section, "parent" means the biological or adoptive mother or*
13 *father of a child.*

14 *(2) A parent shall have certain unalienable rights, including but not limited to the*
15 *right to:*

16 *(a) Direct the education of the minor child;*

17 *(b) Access and review all school records relating to the minor child;*

18 *(c) Direct the upbringing of the minor child;*

19 *(d) Direct the moral or religious training of the minor child;*

20 *(e) Make and consent in writing to all physical and mental healthcare decisions*
21 *for the minor child;*

22 *(f) Access and review all medical records of the minor child, unless the parent*
23 *is the subject of an investigation of a crime committed against the minor*
24 *child and a law enforcement official requests that the information not be*
25 *released;*

26 *(g) Consent in writing before a biometric scan of the minor child is made,*
27 *shared, or stored;*

1 (h) Consent in writing before any record of the minor child's blood or
2 deoxyribonucleic acid is created, stored, or shared, unless authorized
3 pursuant to a court order or an ongoing criminal investigation;

4 (i) Consent in writing before any governmental entity makes a video or voice
5 recording of the minor child, unless the video or voice recording is made
6 during or as a part of a court proceeding, by law enforcement officers
7 during or as part of a law enforcement investigation, during or as part of a
8 forensic interview in a criminal or Cabinet for Health and Family Services
9 investigation, or to be used solely for any of the following:

10 1. Safety demonstrations, including the maintenance of order and
11 discipline in the common areas of a school or on student
12 transportation vehicles;

13 2. A purpose related to a legitimate academic or extracurricular activity;

14 3. A purpose related to regular classroom instruction;

15 4. Security or surveillance of buildings or grounds; and

16 5. A photo identification card; and

17 (j) Be notified promptly if an employee of the Commonwealth or any political
18 subdivision of the Commonwealth, any other governmental entity, or any
19 other institution suspects that a criminal offense has been committed
20 against the minor child by someone other than a parent, unless the incident
21 has first been reported to law enforcement and notification of the parent
22 would impede a law enforcement or Cabinet for Health and Family Services
23 investigation.

24 (3) This section does not authorize or allow a parent to abuse or neglect a child as
25 described in KRS 600.020(1). This section does not prohibit a court from issuing
26 an order that is otherwise permitted by law.

27 (4) If any court of appropriate jurisdiction has reason to review this section or

1 *Section 1 of this Act, the court shall apply the judicial review standard of strict*
2 *scrutiny.*

3 ➔Section 3. This Act shall be known and may be cited as the Parents Rights
4 Protection Act.