



# State of Tennessee

## PUBLIC CHAPTER NO. 510

### HOUSE BILL NO. 509

By Representatives Littleton, Jernigan, Hardaway, White, Smith, Calfee, Helton

Substituted for: Senate Bill No. 209

By Senator Haile

AN ACT to amend Tennessee Code Annotated, Title 4; Title 9; Title 36 and Title 37, relative to children.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 37-1-406, is amended by adding the following language as a new subdivision (d)(3) and by redesignating the existing subdivision (d)(3) and the remaining subdivisions accordingly:

(3) The nature and extent of any previous allegations, complaints, or petitions of abuse or dependency and neglect against the parent or person responsible for the care of the child;

SECTION 2. Tennessee Code Annotated, Section 37-1-406(e), is amended by deleting the first sentence and substituting instead the following:

The investigation shall include a visit to the child's home, an interview with and the physical observation of the child, an interview with and the physical observation of any other children in the child's home, and an interview with the parent or parents or other custodian of the child and any other persons in the child's home.

SECTION 3. Tennessee Code Annotated, Section 37-2-403, is amended by adding the following as a new, appropriately designated subsection:

( ) Within twelve (12) months of a child entering state custody, the department shall review the child's case to determine, in the department's discretion, if reunification with family is feasible, and if not, whether to pursue termination of parental rights.

SECTION 4. Tennessee Code Annotated, Section 37-1-102(b)(27), is amended by adding the following as a new, appropriately designated subdivision:

( ) Knowingly or with gross negligence allowing a child under eight (8) years of age to ingest an illegal substance or a controlled substance that results in the child testing positive on a drug screen, except as legally prescribed to the child;

SECTION 5. Tennessee Code Annotated, Section 37-1-123, is amended by deleting the section and substituting instead the following:

Detention shall not be ordered as a disposition under § 37-1-132, and neither a child nor that child's attorney may waive the detention-related prohibitions of that section, including as part of any pre-adjudication agreements.

SECTION 6. Tennessee Code Annotated, Section 37-1-131(a)(3), is amended by deleting the subdivision and substituting instead the following:

Placing the child in an institution, camp, or other facility for delinquent children operated under the direction of the court or other local public authority. Pursuant to this subdivision (a)(3), the court may order detention for a maximum of forty-eight (48) hours for the delinquent child to be served only on days the school in which the child is enrolled is not in session. The court may order the delinquent child to participate in programming at a nonresidential facility for delinquent children operated under the

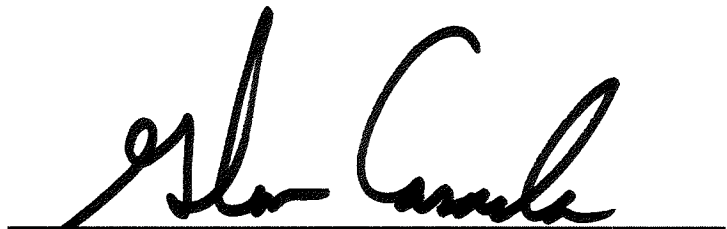
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direction of the court or other local public authority after the period of detention. The court shall report each disposition of detention to the administrative office of the courts;

SECTION 7. Sections 5 and 6 of this act shall take effect July 1, 2019, at 12:01 a.m., the public welfare requiring it. All other sections of this act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: May 2, 2019



GLEN CASADA, SPEAKER  
HOUSE OF REPRESENTATIVES



RANDY MCNALLY  
SPEAKER OF THE SENATE

APPROVED this 3<sup>rd</sup> day of JUNE 2019



BILL LEE, GOVERNOR