

# TGSJC, TCJFCJ, TMJC

## TLS New Law Report – 2024

### ANIMALS & ANIMAL HUSBANDRY

#### **SB1957/HB2079      Process for veterinarians to report suspected animal cruelty.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Terry, Bryan

*Summary:* Establishes a process for a licensed veterinarian to report suspected animal cruelty in violation of certain criminal laws and testify in a judicial or administrative proceeding concerning the care of the animal without being subject to criminal or civil liability. Broadly captioned.

*Public Chapter:* PC584.pdf

*Effective Date:* 03/15/24

### CAMPAIGNS & LOBBYING

#### **SB145/HB133      Elections – changes to deadlines for qualifying petitions.**

*Sponsors:* Sen. Walley, Page , Rep. Lamberth, William

*Summary:* Changes deadlines for qualifying petitions.

*Public Chapter:* PC822.pdf

*Effective Date:* 11/06/24

### CRIMINAL LAW

#### **SB624/HB430      Blended sentence for 16 and older children.**

*Sponsors:* Sen. Taylor, Brent , Rep. White, Mark

*Summary:* Authorize a court to classify a child 16 years of age or older as a serious youthful offender if the child is adjudicated delinquent for: (1) An act that would be a Class A felony if committed by an adult; (2) An act that would be a Class B felony if committed by an adult and the child has two or more previous adjudications of delinquency for acts that would be Class A, B, or C felonies if committed by an adult; or (3) An act that would be a Class C felony if committed by an adult and the child has three or more previous adjudications of delinquency for acts that would be Class A, B, or C felonies if committed by an adult. This amendment authorizes a court to impose any of the dispositions authorized for a child who is adjudicated delinquent under present law upon a juvenile classified as a serious youthful offender. If the court imposes a determinate commitment for the serious youthful offender, then the time credits for good institutional behavior or satisfactory performance do not apply to shorten the time of a serious youthful offender's determinate commitment. This amendment authorizes a court to impose an additional sentence to be

served after a serious youthful offender turns 19 years of age, which ends on or before the offender's twenty-fourth birthday. If imposed, the additional sentence beyond the serious youthful offender's nineteenth birthday must extend for at least: (1) Four years if the child is adjudicated delinquent for an act that would be a Class A felony if committed by an adult; (2) Three years if the child is adjudicated delinquent for an act that would be a Class B felony if committed by an adult; or (3) One year if the child is adjudicated delinquent for an act that would be a Class C felony if committed by an adult. A court may set aside an additional sentence imposed pursuant to (1)-(3). This amendment requires the court to conduct a hearing within four months of the serious youthful offender's nineteenth birthday to review the offender's circumstances and determine whether the additional sentence should be set aside. The full text of this amendment specifies five factors for the court's consideration when making such determination. If the court imposes an additional sentence beyond a serious youthful offender's nineteenth birthday, then the court is required to enter an order on or before the offender's nineteenth birthday committing the offender to the custody of the department of correction to serve the additional sentence imposed by the juvenile court. This amendment requires a court to make an audio recording of a hearing conducted pursuant to this amendment, which recording must include all proceedings in open court and such other proceedings as the judge may direct and must be preserved as part of the record of the hearing. House amendment 2 (015022) deletes the provision requiring the juvenile court to hold a hearing to review the child's circumstances and determine the reasonable conditions of probation to be imposed during the period of adult probation, within six months before the child's eighteenth birthday and, instead, authorizes the court to impose any of the dispositions set forth in the law regarding a delinquent child or a combination of any such dispositions, upon a juvenile classified as a serious youthful offender. However, the disposition must be for a fixed period of time that does not end before the serious youthful offender's nineteenth birthday. If the court commits the serious youthful offender to the custody of the department, then the time credits set forth in the law regarding commitment of delinquent children to the department of children's services must not apply to shorten the time of a serious youthful offender's disposition imposed pursuant to this amendment. House amendment 3 (018803) rewrites the bill to, instead, make the changes described below to the law relevant to juvenile courts and proceedings on January 1, 2025.

*Public Chapter:*

PC1007.pdf

*Effective Date:*

01/01/25

## **SB1480/HB689**

### **Global positioning monitoring system used as a condition of bail.**

*Sponsors:*

Sen. Kyle, Sara , Rep. Hardaway, G.A.

*Summary:*

Requires an officer to provide an alleged victim of certain criminal offenses with a document notifying the victim of the global positioning monitoring system used as a condition of bail. Broadly captioned.

*Amendment Summary:*

Senate Judiciary Committee amendment 1, House amendment 2 (013738) changes the bill's effective date to July 1, 2024.

*Public Chapter:*

PC969.pdf

*Effective Date:*

07/01/24

**SB1577/HB1602 Audio or video recording required for interrogation of juvenile.**

*Sponsors:* Sen. Lamar, London , Rep. Chism, Jesse  
*Summary:* Requires an audio or video recording to be made of any formal interview or interrogation of a child who has been taken into custody on suspicion that the child committed a delinquent act or unruly conduct unless a technical issue with the equipment or exigent circumstances prevents the recording.  
*Public Chapter:* PC565.pdf  
*Effective Date:* 07/01/24

**SB1645/HB1620 Use of drones by law enforcement.**

*Sponsors:* Sen. Massey, Becky , Rep. Gillespie, John  
*Summary:* Deletes the July 1, 2024, termination date for Chapter 462 of the Public Acts of 2021, allowing a law enforcement agency to continue to use a drone to search for and collect evidence or obtain information with the consent of a private property owner, in case of a natural emergency, or to investigate a crime that is occurring or has occurred.  
*Public Chapter:* PC524.pdf  
*Effective Date:* 03/01/24

**SB1664/HB1698 Suspension of driver license for juveniles found to have made a threat to commit mass-violence at school.**

*Sponsors:* Sen. White, Dawn , Rep. Stevens, Robert  
*Summary:* Requires the juvenile court to include in the disposition for a juvenile who has been found to have made a threat to commit mass violence on school property or at a school-related activity, in addition to any other disposition authorized by law, the suspension of the juvenile's driving privileges or ability to obtain a driver license for a period of one year. Broadly captioned.  
*Public Chapter:* PC727.pdf  
*Effective Date:* 07/01/24

**SB1709/HB1628 Creates new criminal offense of assault within a healthcare facility.**

*Sponsors:* Sen. Hensley, Joey , Rep. Cepicky, Scott  
*Summary:* Creates Class A misdemeanor offense of assault within a healthcare facility and specifies that the offense shall be punished by a mandatory fine of \$5,000 and a mandatory minimum sentence of 30 days incarceration. Also creates a Class A felony offense of aggravated assault within a healthcare facility and specifies that such offense shall be punished by a mandatory \$15,000 fine and a mandatory minimum sentence of 90 days incarceration. Broadly captioned.  
*Public Chapter:* PC928.pdf  
*Effective Date:* 07/01/24

**SB1775/HB1858 Home address confidentiality program for victims.**

Sponsors:  
Summary:

Sen. Swann, Art , Rep. Davis, Elaine  
Expands the ways in which applicants may apply for the home address confidentiality program to include moving to a new address unknown to the offender and not previously identified in a public record.

Public Chapter:  
Effective Date:

PC620.pdf  
03/27/24

**SB1811/HB2943**

**Expands offense of indecent exposure and increases penalties.**

Sponsors:  
Summary:

Sen. Kyle, Sara , Rep. Towns Jr., Joe  
Revise indecent exposure law, as follows: (1) Provides that a person commits the offense of indecent exposure who knowingly invites, entices, or fraudulently induces a minor into the person's residence for the purpose of attaining sexual arousal or gratification by intentionally engaging in the following conduct in the presence of the minor without the consent of the minor: (i) exposure of such person's genitals, buttocks, or female breasts; or (ii) masturbation; (2) Provides that a person commits the offense of indecent exposure who knowingly engages in the person's own residence, in the intended presence of any minor, without the consent of the minor, for the defendant's sexual arousal or gratification the following intentional conduct: (i) exposure of the person's genitals, buttocks, or female breasts; or (ii) masturbation; and (3) Clarifies that for (1) and (2) above to apply, the defendant must be 18 or older and the child victim must be at least 13 but no more than 17.

Public Chapter:  
Effective Date:

PC1023.pdf  
07/01/24

**SB1859/HB1920**

**Extends the percentage of a misdemeanor sentence a defendant may be required to serve.**

Sponsors:  
Summary:

Sen. Rose, Paul , Rep. Lamberth, William  
Extends the percentage of a sentence a court may require a defendant to serve for a misdemeanor offense from 75% to 100%.

Public Chapter:  
Effective Date:

PC743.pdf  
04/22/24

**SB1887/HB2590**

**Bullying and cyberbullying considered harassment.**

Sponsors:  
Summary:

Sen. Lowe, Adam , Rep. Russell, Lowell  
(1) Revises the definition of "bullying" to, instead, mean an act committed by a student that substantially interferes with another student's educational benefits, opportunities, or performance; and (i) if the act takes place on school grounds, at any school-sponsored activity, on school-provided equipment or transportation or at any official school bus stop, the act has the effect of physically harming the other student or damaging the other student's property, or knowingly placing the other student or students in reasonable fear of physical harm to the other student or damage to the student's property; or (ii) if the act takes place off school property or outside of a school-sponsored activity, it is directed specifically at another student or students and has the effect of creating a substantial disruption to the education environment or learning process; (2) Clarifies that, as used in the bill, a "school" means a public or private

school that conducts classes in any grade from K-12; (3) Clarifies that, as used in the bill, a "student" means a person, regardless of age, enrolled in a public or private school that conducts classes in any grade from K-12; (4) Provides that the provisions in the bill relevant to making an official report do not apply to incidents reported to the department of safety through the SafeTN application or a successor application; and (5) Provides that when a person intentionally engages in cyber-bully, that person commits a delinquent act and must be punished as provided for in the existing law relevant to delinquent children.

*Public Chapter:*

PC797.pdf

*Effective Date:*

07/01/24

## **SB1953/HB2546**

### **Offense of stalking - harassment committed by defendant.**

*Sponsors:*

Sen. Gardenhire, Todd , Rep. Bulso, Gino

*Summary:*

States that, as used in the offense of stalking, harassment must be committed by the defendant with reckless disregard for whether the victim will suffer emotional distress as a result of the conduct and the victim does suffer emotional distress as a result of the conduct. Broadly captioned.

*Public Chapter:*

PC682.pdf

*Effective Date:*

07/01/24

## **SB1972/HB2692**

### **GPS device for domestic violence abuser.**

*Sponsors:*

Sen. Rose, Paul , Rep. Doggett, Clay

*Summary:*

Enacts The Debbie and Marie Domestic Violence Protection Act. Requires the court to order a person charged with aggravated assault to wear a global positioning monitoring system (GPS) as a condition of bail if the alleged victim is a domestic abuse victim and the alleged assault involved certain specified actions. Requires the GPS to be worn by the defendant, rather than carried or worn. Requires a defendant ordered to wear a GPS or to provide a victim with a GPS mobile application or receptor device as a condition of bail to pay all costs associated with operating the system for the defendant and the victim. Establishes that such defendants are no longer eligible to receive assistance from the Electronic Monitoring Indigency Fund (EMIF) to help pay for the GPS service, regardless of whether or not a defendant is indigent. Requires, if a defendant is released without a GPS, the court to make reasonable efforts to directly notify the defendant of such release and that the defendant will not be provided with access to notifications of the offender's proximity. Requires every county and municipality to enter into a written agreement with a qualified GPS provider. Requires such a GPS system to be able to notify the victim through a cellular device application or electronic receptor device if the defendant is within a prescribed proximity of the victim's device. Requires the entity that provides the GPS service to notify a designated law enforcement employee and the appropriate emergency communications dispatch center when a defendant violates a condition of bond. Provides civil and criminal immunity to GPS providers and manufacturers if the victim voluntarily chooses not to utilize a device that provides proximity notifications or is noncompliant in the device's correct usage, and when the actions of those entities and the entities' employees are in accordance with the law and done in good faith and without gross negligence or malice.

*Public Chapter:* PC1033.pdf  
*Effective Date:* 07/01/24

**SB1994/HB2360 Appointment of magistrates in Knox County.**

*Sponsors:* Sen. Massey, Becky , Rep. Carringer, Michele  
*Summary:* Establishes that in Knox County one magistrate judge must be appointed by a majority of the county's general sessions judges and the length of their term is decided by a majority of the county's general sessions judges. Specifies the duties of magistrates include, but are not limited to, the issuance of arrest warrants and the setting of bonds and recognizances.

*Public Chapter:* PC683.pdf  
*Effective Date:* 03/25/24

**SB2040/HB2265 Offense of committing criminal infrastructure vandalism.**

*Sponsors:* Sen. Rose, Paul , Rep. Boyd, Clark .  
*Summary:* Adds using, altering, encrypting, ransoming, destroying, or otherwise rendering unavailable without authorization, electronic data, electronic devices, or network providers of critical infrastructure or of a farm to the offense of committing criminal infrastructure vandalism. Broadly captioned.

*Public Chapter:* PC627.pdf  
*Effective Date:* 07/01/24

**SB2060/HB2216 Extends the statute of limitations for sexual assault of an adult.**

*Sponsors:* Sen. Walley, Page , Rep. Whitson, Sam  
*Summary:* enacts "Danielle's Law." Extends the statute of limitations for bringing a civil suit for an injury or illness based on a sexual assault occurring when the injured person is at least 18 years old to three years from the date of the assault if law enforcement was not notified or to five years from the date of the assault if law enforcement was notified.

*Public Chapter:* PC644.pdf  
*Effective Date:* 04/04/24

**SB2116/HB2302 Presumption of DUI for opioid antagonist.**

*Sponsors:* Sen. Massey, Becky , Rep. Howell, Dan  
*Summary:* establishes that evidence that a person was suspected to be impaired secondary to the sedative or otherwise intoxicating effects of a controlled substance and was administered an opioid antagonist within 24 hours prior to the time of an alleged Driving Under the Influence (DUI) offense, creates a presumption that the defendant's ability to drive was sufficiently impaired by the controlled substance that caused the opioid-related overdose. Authorizes a first responder who administers an opioid antagonist to an individual experiencing an opioid-related overdose to provide information on the risks associated with driving for a 24-hour period following administration, in an effort to ensure that the individual is informed of the potential dangers and legal responsibilities.

*Public Chapter:* PC1039.pdf

Effective Date: 07/01/24

**SB2127/HB2475** **Truancy**

Sponsors: Sen. Lowe, Adam , Rep. Raper, Kevin

Amendment Summary: Changes the present law that provides that a teen court has the authority to conduct proceedings and to receive evidence and hear testimony related to the dispositional stage. This amendment clarifies that such authority includes the authority to request detailed documentation signed by a licensed physician regarding absenteeism in truancy matters.

Public Chapter: PC849.pdf

Effective Date: 05/01/24

**SB2155/HB2323** **Recidivist Misdemeanor.**

Sponsors: Sen. Watson, Bo , Rep. Hazlewood, Patsy

Summary: creates the Chris Wright Act. Enhances, from a Class A misdemeanor to a Class E felony, the offense classification for a person convicted of a third or subsequent conviction of domestic assault, regardless of the domestic assault victim's relationship with the defendant. Establishes that a defendant convicted of any combination of five or more qualifying misdemeanors is deemed a recidivist misdemeanor and commits a Class E felony on the sixth or subsequent qualifying misdemeanor. Outlines 35 qualifying Class A misdemeanor offenses. Establishes that a defendant commits a Class E felony upon a third or subsequent conviction of any combination of seven outlined Class A misdemeanor offenses. Requires the offense date of the present offense be within 10 years of the offense date of a preceding qualifying misdemeanor conviction. Requires a preceding qualifying misdemeanor conviction from another jurisdiction other than this state be considered a preceding qualifying misdemeanor conviction if the elements of the offense are the same as the elements of a comparable offense in this state.

Public Chapter: PC987.pdf

Effective Date: 07/01/24

**SB2221/HB1658** **Creates a Class E felony offense of assault against a participant in judicial proceedings.**

Sponsors: Sen. Powers, Bill , Rep. Lamberth, William

Summary: Creates the Class E felony offense of assault against a participant in judicial proceedings, which occurs when a person, while on the premises of a building in which judicial proceedings occur, knowingly assaults a victim that the person knows or reasonably should know is present due to the victim's participation in judicial proceedings. Broadly captioned.

Amendment Summary: Senate amendment 1 (013386) adds to the list of potential victims in the bill, a member of the public lawfully present in a courtroom during a criminal or civil proceeding. House amendment 2 (018133) creates the Class E felony offense of assault against a participant in judicial proceedings while on the premises of a building in which judicial proceedings occur. Clarifies exceptions to the offense of wiretapping and electronic surveillance as it relates to a business. Deletes the authorization for any aggrieved person whose wire, oral or electronic communication is intentionally intercepted, disclosed, or used in the offense of wiretapping and electronic surveillance to seek a civil action to recover various outlined damages.

Public Chapter: PC1045.pdf  
Effective Date: 07/01/24, 05/28/24

**SB2243/HB2460 Expands definition of victim for purposes of restitution to include a reciprocal.**

Sponsors: Sen. Lowe, Adam , Rep. Vital, Greg  
Summary: Expands the definition of "victim" for the purposes of restitution to include a reciprocal, as defined by current law, when the reciprocal has compensated a subscriber for loss incurred as a result of the offense to the extent that the reciprocal paid compensation to the subscriber.

Public Chapter: PC811.pdf  
Effective Date: 04/29/24

**SB2263/HB2198 Threat of mass violence on school property or at a school related activity.**

Sponsors: Sen. Lundberg, Jon , Rep. Mitchell, Bo  
Summary: Increases the penalty for threatening to commit an act of mass violence on school property or at a school related activity from a Class A misdemeanor to a Class E felony. Does not apply to a person with an intellectual disability.

Public Chapter: PC887.pdf  
Effective Date: 07/01/24

**SB2304/HB2684 Defendant for whom a bench warrant is issued due to failure to appear.**

Sponsors: Sen. Gardenhire, Todd , Rep. Doggett, Clay  
Summary: (1) Revises the present law providing that if a court issues a bench warrant due to a defendant's failure to appear on a felony or on a Class A or Class B misdemeanor that is violent or sexual in nature as determined by the court, or if a defendant is charged with a failure to appear, then the defendant is placed on any available state or federal list or database as a fugitive from justice, without limitation, within 10 days of the defendant's failure to appear by replacing 10 days with 10 business days; and (2) Deletes the provisions in the bill that amend the present law in (1) above to, instead, provide that if the above conditions apply, then the defendant is placed on any available state or federal list or database as a fugitive from justice, without limitation, within 10 days of the date the bench warrant is received by the law enforcement agency.

Public Chapter: PC1048.pdf  
Effective Date: 07/01/24

**SB2337/HB1924 Increases penalty for indecent exposure.**

Sponsors: Sen. Yager, Ken , Rep. Butler, Ed  
Summary: Increases the penalty for indecent exposure from a Class A misdemeanor to a Class E felony if the person was confined in a penal institution at the time of the commission of the offense and if the offense was intended to abuse, torment, harass, or embarrass a guard or staff member of the penal institution. Requires a minimum sentence of 14 days.

Public Chapter: PC1049.pdf



Effective Date: 07/01/24

**SB2410/HB2504 Telecommunications transmitting misleading caller identification established as a misdemeanor.**

*Sponsors:* Sen. Lamar, London , Rep. Harris, Torrey  
*Summary:* Establishes that it is an offense for a person, on behalf of a debt collector or inbound telemarketer service, to knowingly cause any caller identification service to transmit misleading or inaccurate caller identification information, including caller identification information that does not match the area code of the person or the debt collector or inbound telemarketer service the person is calling on behalf of, or that is not a toll-free phone number, to a subscriber with the intent to defraud or cause harm to another person or to wrongfully obtain anything of value, rather than with the intent to induce the subscriber to answer.

*Public Chapter:* PC758.pdf  
*Effective Date:* 07/01/24

**SB2507/HB2665 Child adjudicated as a traffic violator.**

*Sponsors:* Sen. Johnson, Jack , Rep. Slater, William  
*Summary:* Require a child who has been admitted to a juvenile detention facility, prior to being adjudicated for an alleged delinquent act, to be allowed at least one telephone call with the child's parent, guardian, or legal custodian and one 30-minute in-person visit with the child's parent, guardian, or legal custodian within 24 hours after the child is admitted to the juvenile detention facility. The telephone call and in-person visit must occur as soon as practical after the request has been made by the parent, guardian, or legal custodian to the juvenile detention facility, however, the telephone call or in-person visit may be delayed by the detention facility for no more than six hours if the child is subject to disciplinary action. If the juvenile detention facility delays contact to the parent, guardian, or legal custodian, the detention facility must explain the actions of the child which resulted in the contact being timely withheld. During the time period following the first 24 hours a child has been admitted to a juvenile detention facility, but prior to being adjudicated for an alleged delinquent act, this amendment requires a child to be allowed at least three separate telephone calls with the child's parent, guardian, or legal custodian, and one in-person visit with the child's parent, guardian, or legal custodian per week. This amendment applies to juvenile detention facilities approved, certified, or licensed by the department of children's services, including youth development centers.

*Public Chapter:* PC866.pdf  
*Effective Date:* 05/01/24

**SB2514/HB2643 The Gabby Act.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Crawford, John  
*Summary:* Adds the short title "The Gabby Act" to Chapter 237 of the Public Acts of 2023, which requires district attorneys general to designate one assistant district attorney general as the lead prosecutor in cases involving crimes committed against children and requires the Tennessee bureau of investigation to provide annual training to assistant district attorneys

designated as lead prosecutors in crimes committed against children.  
Broadly captioned.  
*Public Chapter:* PC649.pdf  
*Effective Date:* 04/04/24

**SB2562/HB1642 Pretrial release – consider public safety first**

*Sponsors:* Sen. Taylor, Brent , Rep. Lamberth, William  
*Summary:* Revises provisions regarding pretrial release of a defendant charged with a criminal offense to require the magistrate to give first consideration to ensuring the safety of the community when determining whether to impose conditions of release or require a deposit of bail. Broadly captioned.

*Public Chapter:* PC612.pdf  
*Effective Date:* 07/01/24

**SB2563/HB1641 Violating a condition of release on bail.**

*Sponsors:* Sen. Taylor, Brent , Rep. Lamberth, William  
*Summary:* (1) Establishes that it is an offense to knowingly violate a condition of release imposed under state law relative to admission to bail; (2) Establishes that a violation as described in (1), above, is a Class A misdemeanor; (3) Prohibits a defendant from being convicted of both a violation of (1) and a violation of state law relative to violation of an order of protection or restraining order, if the facts supporting the prosecution arise out of the same criminal conduct; (4) Authorizes a person who violates (1) to be arrested with or without a warrant; and (5) In the context of conditional release, requires that a release condition violation be punished as in (1)-(4), above, if the violation does not also constitute a violation of an order of protection or restraining order. The bail of the person violating the condition of release may be revoked by the court having jurisdiction of the original offense.

*Public Chapter:* PC942.pdf  
*Effective Date:* 07/01/24

**SB2565/HB1719 Determination of amount of bail – ability to pay**

*Sponsors:* Sen. Taylor, Brent , Rep. Gillespie, John  
*Summary:* prohibit a magistrate from considering a defendant's ability to pay when determining the amount of bail necessary to reasonably assure the appearance of the defendant while at the same time protecting the safety of the public.

*Public Chapter:* PC869.pdf  
*Effective Date:* 05/01/24

**SB2566/HB1718 Conditions of bail – pretrial monitoring for certain felonies.**

*Sponsors:* Sen. Taylor, Brent , Rep. Gillespie, John  
*Summary:* If a defendant is charged with a Class A, B, C, or D felony, upon the imposition of release conditions by a magistrate and the availability of pretrial services, to participate in pretrial monitoring to ensure compliance. Failure to comply results in notification to the court by the pretrial monitoring agency. Mandates that upon an increase in bail or failure to comply with release conditions, the court with jurisdiction must

declare forfeiture and may issue a warrant for arrest, and if arrested for failure to comply, the defendant can only be released by a criminal or circuit court judge.

*Public Chapter:*

PC1055.pdf

*Effective Date:*

05/28/24

**SB2569/HB2126**

**Child to be tried as an adult who commits offense of organized retail crime or theft of a firearm.**

*Sponsors:*

Sen. Taylor, Brent , Rep. Grills, Rusty

*Summary:*

Allows a juvenile court to transfer a child 15 years of age or older to be tried as an adult in criminal court for the offense of organized retail crime, theft of a firearm, or an attempt to commit such offense. Broadly captioned.

*Amendment Summary:*

House amendment 1 (014134) adds to the bill by revising present law that provides that when a child transferred from juvenile court is detained, the juvenile court may, in its discretion, order confinement in a local juvenile detention facility, or a juvenile detention facility with which it contracts or an adult detention facility separate and removed from adult detainees. This amendment revises the present law by, instead, requiring that when a child transferred from juvenile court is detained, the juvenile court must order confinement in a local juvenile detention facility or a juvenile detention facility with which it contracts, except that the juvenile court may order confinement in an adult detention facility separate and removed from adult detainees if the sheriff affirms to the court that the adult detention facility has the ability to comply with the requirements of existing law, and that the population of the adult detention facility does not exceed the capacity of the facility.

*Public Chapter:*

PC635.pdf

*Effective Date:*

07/01/24

**SB2570/HB2031**

**Increases penalty for intentionally obstructing a highway or street.**

*Sponsors:*

Sen. Taylor, Brent , Rep. Barrett, Jody

*Summary:*

Increases the penalty for intentionally obstructing a highway, street, or other place used for the passage of vehicles or conveyances from a Class A misdemeanor to a Class D felony. Allows a person who suffers loss or injury as a result of such an offense to bring a cause of action against the offender to recover compensatory damages from the loss or injury. Broadly captioned.

*Public Chapter:*

PC958.pdf

*Effective Date:*

07/01/24

**SB2576/HB2124**

**Communication with federal officials regarding immigration status.**

*Sponsors:*

Sen. Taylor, Brent , Rep. Grills, Rusty

*Summary:*

Requires, rather than authorizes, law enforcement agencies to communicate with the appropriate federal official regarding the immigration status of any individual, including reporting knowledge that a particular alien is not lawfully present in the United States or otherwise cooperate with the appropriate federal official in the identification,

apprehension, detention, or removal of aliens not lawfully present in the United States.

Public Chapter: PC716.pdf  
Effective Date: 07/01/24

**SB2585/HB2145 Creates an offense for possessing or distributing a license plate flipper.**

Sponsors: Sen. Taylor, Brent , Rep. Martin, Greg  
Summary: Establishes the purchase or possession of a license plate flipper as a class A misdemeanor and establishes the manufacture, sale, offer to sell, or otherwise distributing a license plate flipper as a Class A misdemeanor. Broadly Captioned.

Public Chapter: PC870.pdf  
Effective Date: 07/01/24

**SB2589/HB2466 Certified copy of an order expunging the public records of a criminal offense.**

Sponsors: Sen. Taylor, Brent , Rep. Stevens, Robert  
Summary: Authorizes the Tennessee Bureau of Investigation (TBI) to inform the district attorney general for the judicial district if the petitioner has been granted a prior expunction. Exempts signed orders of expunction from the definition of public records for purposes of expunction only. Authorizes a court to release a copy of an order of expunction to the petitioner.

Public Chapter: PC992.pdf  
Effective Date: 05/21/24

**SB2599/HB2386 Search warrant for medical records to determine the alcohol or drug content of a person's blood.**

Sponsors: Sen. Taylor, Brent , Rep. Gant, Ron  
Summary: Authorizes a law enforcement officer to execute a search warrant for medical records or a test to determine the alcohol and drug content of a person's blood anywhere in the state. Establishes that all magistrates have statewide jurisdiction to issue search warrants in any district, county, or jurisdiction if at least one element of the alleged crime on which the warrant is based is committed within the jurisdiction of the magistrate. Requires a qualified practitioner responsible for collecting a blood sample from the operator of a motor vehicle pursuant to a search warrant or other court order to do so as soon as practicable, provided that the collection does not jeopardize the individual's life. Specifies that such practitioners shall not require the operator to provide additional consent, and may use all reasonable force to obtain the sample of blood from the operator. Requires the results of any testing of a blood sample that was obtained on a defendant in a criminal prosecution related to driving under the influence while the defendant was hospitalized or otherwise receiving medical care to be recorded and memorialized in the defendant's medical records, and to be provided upon service of a search warrant, judicial subpoena, or other court order. Requires any residual portion of the blood sample that was obtained in such circumstances to be provided as soon as practicable to a law enforcement officer upon service of such legal orders. Establishes that, if

Any change to affidavit?

a sample of a person's blood was procured pursuant to the procedures established in the law, then the limited testing of the blood sample for the alcohol or drug content, or both, shall be considered a reasonable search for all evidentiary purposes and shall be allowed into evidence without further need of a search warrant or court order.

*Public Chapter:* PC892.pdf  
*Effective Date:* 05/01/24

**SB2650/HB2848**      **Creates Class C felony offense of acquiring bees without consent of owner.**

*Sponsors:* Sen. Niceley, Frank , Rep. Wright, Dave  
*Summary:* Creates the Class C felony offense of unlawfully obtaining or exerting control over bees, or the related structures or equipment used in their care, management, exhibition, breeding, or sale, without the owner's consent and with the intention of depriving the owner of these bees, structures, or equipment.

*Public Chapter:* PC708.pdf  
*Effective Date:* 07/01/24

**SB2654/HB2790**      **Offense of tampering with a monitoring device.**

*Sponsors:* Sen. White, Dawn , Rep. Littleton, Mary  
*Summary:* Creates a Class B misdemeanor that is committed when a person knowingly tampers with, removes, or vandalizes a monitoring device that the person is required to use as a condition of bond, probation, or parole. Requires an entity monitoring such a device to notify the court with jurisdiction over the person's bond, board of parole, or probation officer upon becoming aware that there has been an attempt to either tamper with, disable, remove, or otherwise make the device ineffective.

(1) Provides that if a person violates the bill and the monitoring device is damaged as a result of the violation, then the offense may be punished as theft, after determining value; (2) Revises the provision in the bill summary relevant to parole that provides if an entity monitoring the device becomes aware that there has been an attempt to either tamper with, disable, remove, or otherwise make the device ineffective, or if the bonding agent becomes aware the prisoner has violated any condition of parole, then the entity monitoring the device must promptly give notice of the violation to the board by, instead, providing that if an entity monitoring the device becomes aware that there has been an attempt to tamper with, disable, remove, or otherwise make the device ineffective, then the entity monitoring the device must promptly give notice of the violation to the department of correction; and (3) Revises the provision in the bill summary relevant to probation that provides if an entity monitoring the device becomes aware that there has been an attempt to either tamper with, disable, remove, or otherwise make the device ineffective, or if the bonding agent becomes aware the offender has violated any bond condition ordered by the court, then this bill requires the entity monitoring the device to promptly give notice of the violation to the offender's probation officer by, instead, providing that if an entity monitoring the device becomes aware that there has been an attempt to tamper with, disable, remove, or otherwise make the device ineffective, then the entity monitoring the device must promptly give notice of the violation to the offender's probation officer.

*Public Chapter:* PC874.pdf

*Effective Date:* 07/01/24

**SB2662/HB1817 Offense of child endangerment by a parent or custodian.**

*Sponsors:* Sen. White, Dawn , Rep. Littleton, Mary

*Summary:* Increases the penalty from a Class A misdemeanor to a Class D felony for the offense of child endangerment by a parent or custodian of a child eight years of age or less if the parent or guardian knowingly exposes the child to, or knowingly fails to protect the child from, abuse or neglect resulting in physical injury or imminent danger to the child; increases the penalty from a Class D felony to a Class B felony for a person who negligently, by act or omission, engages in conduct that places a child eight years of age or less in imminent danger of death, bodily injury, or physical or mental impairment. Broadly captioned.

*Public Chapter:* PC885.pdf

*Effective Date:* 07/01/24

**SB2668/HB2163 Sexual exploitation of children - images created by artificial intelligence.**

*Sponsors:* Sen. White, Dawn , Rep. Littleton, Mary

*Summary:* Expands the definition of material in relation to the sexual exploitation of children to include any computer image, or computer-generated image, including an image created, adapted, or modified by artificial intelligence. Also introduces a definition for artificial intelligence. Broadly captioned.  
(1) Revises the definition of "artificial intelligence" to, instead, mean machine learning technology, including generative artificial intelligence, that uses data to train statistical models for the purpose of enabling a computer system or service to autonomously perform any task, including visual perception, natural language processing, or speech recognition, that is normally associated with human intelligence or perception; and (2) Revises the definition of "generative artificial intelligence" to, instead, mean artificial intelligence based on a foundation model that is capable of and used to produce synthetic digital content, including audio, images, text, and videos.

*Public Chapter:* PC911.pdf

*Effective Date:* 07/01/24

**SB2696/HB2279 Sexual offender registry - offenses that constitute a violent juvenile sexual offense.**

*Sponsors:* Sen. Southerland, Steve , Rep. Hawk, David

*Summary:* clarifies that a "violent juvenile sexual offense" includes, in addition to other offenses, the rape of a child if (i) the victim is at least four years younger than the offender; or (ii) for acts occurring on or after July 1, 2024, the victim is less than four years younger than the offender, and the judge, taking into account the facts and circumstances surrounding the delinquent act, orders that the juvenile be required to register as a violent juvenile sexual offender.

*Public Chapter:* PC888.pdf

*Effective Date:* 07/01/24

**SB2710/HB2814***Sponsors:**Summary:**Public Chapter:**Effective Date:***Raises the penalty for the offense of drag racing.**

Sen. Taylor, Brent , Rep. Gillespie, John

Raises the penalty for the offense of drag racing from a Class A misdemeanor to a Class E felony.

PC1000.pdf

07/01/24

**SB2770/HB1872***Sponsors:**Summary:***Enhancement of criminal penalties upon conviction of violent crimes by illegal aliens.**

Sen. Bowling, Janice , Rep. Fritts, Monty

Allows for a court to enhance the statutory penalty up to imprisonment for life without the possibility of parole when an illegal alien commits a violent crime, an illegal alien is using or displaying a deadly weapon when convicted, or there is a conviction for a violent crime which occurred on the property of a school. Also requires that any arrest and conviction that the enhancement factors would apply to is reported to the Tennessee bureau of investigation's human trafficking advisory council. Broadly captioned.

(1) "school" to mean a public or private elementary school, middle school, high school, college of applied technology, postsecondary vocational or technical school, or two-year or four-year college or university by removing college of applied technology, postsecondary vocational or technical school, and two-year or four-year college or university from the definition; (2) Revises the provision in authorizing a court to enhance the statutory penalty up to imprisonment for life without the possibility of parole for a conviction if the conviction is for the commission of a violent crime and the offense occurred on the property of a school by, instead, authorizing a court to enhance the statutory penalty up to imprisonment for life without the possibility of parole for a conviction if the conviction is for the commission of a violent crime committed by an adult and the offense occurred on the property of a school while students or other children were present; (3) Revises the provision in the bill that requires an arrest and subsequent conviction to which the enhancement factors would apply under (1) or (2) in the bill summary to be reported to the Tennessee bureau of investigation's human trafficking advisory council to determine the correlations between arrests, convictions, and incidents of human trafficking in this state by, instead, requiring such arrest and subsequent convictions to be reported to the department of safety; (4) Revises the present law providing that when making a determination on whether any person charged with a bailable offense may be ordered released pending trial on the person's personal recognizance or upon the execution of an unsecured appearance bond a magistrate may consider, among other things, any other factors indicating the defendant's ties to the community or bearing on the defendant's risk of willful failure to appear by clarifying that such factors include, but are not limited to, whether the defendant is lawfully present in this state; and (5) Revises the present law requiring the magistrate to consider any other factors indicating the defendant's ties to the community or bearing on the risk of the defendant's willful failure to appear when determining the amount of bail necessary to reasonably assure the appearance of the defendant while at the same time protecting the safety of the public by clarifying that such factors include,

but are not limited to, whether the defendant is lawfully present in this state.

*Public Chapter:*

PC1063.pdf

*Effective Date:*

07/01/24

## **SB2844/HB2686**

### **Expunction - filing of petition.**

*Sponsors:*

Sen. Roberts, Kerry , Rep. Doggett, Clay

*Summary:*

Clarifies that an eligible petitioner may file a petition for expunction under certain circumstances if the offense the person is seeking to expunge occurred prior to any conviction for an offense that is not eligible for expunction. Allows an eligible petitioner who has been convicted of more than two offenses to seek expunction of two eligible offenses under certain circumstances. Makes various other clarifications relating to expunction laws.

*Amendment Summary:*

Senate amendment 1 (015482) makes the following changes: (a) Adds to the present law in (1)(ii) of the summary by also requiring that the person has not previously been granted expunction under this bill or under the present law authorizing a person to seek expunction for illegal registration or voting; (b) Revises the bill by, instead, rewriting (C) in the bill summary to provide at the time of the filing of the petition for expunction at least (i) five years have elapsed since the completion of the sentence imposed for any misdemeanor or Class E felony the person is seeking to have expunged; and (ii) 10 years have elapsed since the completion of the sentence imposed for any Class C or D felony offense the person is seeking to have expunged; (c) Adds to the present law in the bill summary relevant to expunction of two offenses by also requiring that the person has not previously been granted expunction under present law and this bill; (d) Provides that if a person was convicted of more than one Class E Felony in the present law relevant to destruction or release of records and the conduct upon which each conviction is based occurred contemporaneously, occurred at the same location, represented a single continuous criminal episode with a single criminal intent, and all such convictions are eligible for expunction, then such convictions are considered a single offense for purposes of the law referenced under expunction of two offenses in the bill summary; (e) Deletes the present law provision that authorizes a person to petition for expunction of two offenses under the law referenced under expunction of two offenses in the bill summary only one time; and (f) Revises the present law that authorizes a person to petition for expunction of an offense of illegal registration or voting, if, among other things, the person has not been convicted of a criminal offense that is ineligible for expunction, including federal offenses and offenses in other states, that occurred prior to the offense for which the person is seeking expunction. This amendment revises the present law by, instead, authorizing a person to petition for expunction of an offense of illegal registration or voting, if, among other things, the offense for which the person is seeking expunction occurred prior to any conviction for a criminal offense that is ineligible for expunction, including convictions for federal offenses and offenses in other states that would be ineligible for expunction in this state.

*Public Chapter:*

PC962.pdf

*Effective Date:*

05/09/24



**HJR859***Sponsors:**Summary:***Constitutional amendment - right to bail.**

Rep. Sexton, Cameron

Proposes an amendment to Article I, Section 15 of the Constitution of Tennessee to remove the right to bail for the following offenses when the proof is evident or the presumption great: act of terrorism; second degree murder; aggravated rape of a child; aggravated rape; grave torture; and any other offense, as of November 3, 2026, for which a defendant, if convicted, could not be released prior to the expiration of at least 85 percent of the entire sentence imposed.

**EDUCATION****SB2365/HB2142***Sponsors:**Summary:***Students who have been adjudicated delinquent.**

Sen. Watson, Bo , Rep. Martin, Greg

Increases from a Class C misdemeanor to a Class B misdemeanor the penalty for a student's parent, guardian, or legal custodian failing to report an adjudication that the student committed certain delinquent acts to the student's school principal or the principal's designee. Specifies that a school principal shall ask in writing a student's parent, guardian, or legal custodian whether the student has been adjudicated delinquent for certain offenses, including rape, robbery, kidnapping, or aggravated assault.

*Public Chapter:*

PC721.pdf

*Effective Date:*

07/01/24

**FAMILY LAW****SB1586/HB2788***Sponsors:**Summary:***Child protective teams - data sharing.**

Sen. Haile, Ferrell , Rep. Littleton, Mary

Permits the district attorneys general conference, the administrative office of the courts, the Tennessee chapter of children's advocacy centers, the department of children's services, and law enforcement agencies to enter into data sharing agreements that allow for the sharing of information necessary to ensure compliance with statutory reporting requirements. Specifies that data shared pursuant to an agreement retains its confidential status consistent with current law. Broadly captioned.

*Public Chapter:*

PC559.pdf

*Effective Date:*

03/12/24

*Comment:*

PERMISSIVE data sharing bill. from CAC. Stephen Woerner

**SB1699/HB1645***Sponsors:**Summary:***Lifetime orders of protection.**

Sen. Rose, Paul , Rep. Lamberth, William

Expands the eligibility for filing a petition to obtain a lifetime order of protection to include victims of aggravated stalking, especially aggravated stalking, and felony harassment. Broadly captioned.

*Public Chapter:*

PC632.pdf

*Effective Date:*

04/02/24

**SB1905/HB2168**

## **Order of protection to remain in effect during an appeal.**

*Sponsors:* Sen. Jackson, Ed , Rep. Littleton, Mary  
*Summary:* Specifies that an order of protection related to allegations of domestic abuse remains in effect during the appeal unless the order expires by operation of law.  
*Public Chapter:* PC751.pdf  
*Effective Date:* 04/22/24

## **SB2070/HB1676 Juvenile court proceedings - taking of child into custody or removal of child from parent.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Specifies that a juvenile court proceeding may be commenced by the taking of a child into custody or the removal of custody from a parent or legal guardian. Requires the juvenile court in a dependency and neglect proceeding to determine whether a parent, guardian, relative, or caregiver of the child cannot be excluded as a perpetrator of severe child abuse against the child. Prohibits a juvenile court from returning a child victim of severe child abuse to the custody of a person who cannot be excluded as the perpetrator unless certain circumstances are met. Makes various other changes regarding abuse, severe child abuse, and token support

*Amendment Summary:* House amendment 1 (013967) makes the following changes to the bill: (1) Clarifies that support is presumptively token support if it is less than the amount of the minimum child support order established by the department of human services child support guidelines under the definition of "abandonment" under adoption; (2) Adds that a parent or guardian bears the burden of proving by a preponderance of the evidence that any support provided was more than token support; (3) Removes the clarification that support is token support if it is less than the amount of the minimum child support order established by the department of human services child support guidelines from the definition of token support under foster care; (4) Specifies that a court must look at each of the child's parents, guardians, relatives, and caregivers who provided care during the relevant time period of abuse if a petition alleged a child was dependent and neglected or if the court finds the child was dependent and neglected regardless of the ground alleged in the petition; and (5) Removes the specification that a home is not suitable if the parent or guardian resides with or maintains an ongoing relationship with an individual who has been determined by the court to be a perpetrator of severe child abuse, or who a court has determined cannot be excluded as a perpetrator of severe child abuse.

*Public Chapter:* PC613.pdf  
*Effective Date:* 07/01/24

## **SB2071/HB1675 Expands eligibility for reimbursement as a relative caregiver.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Expands the eligibility for reimbursement as a relative caregiver by removing the income limitations and including a relative caregiver who meets the eligibility requirements and has been awarded custody by an order of any court. Part of Administration Package.

*Public Chapter:* PC574.pdf  
*Effective Date:* 03/15/24

**SB2349/HB2404 Redefines dependent and neglected child.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Slater, William  
*Summary:* Revises the definition of a dependent and neglected child to specify that the criteria for dependence and neglect must be present at the time of the filing of the petition.

*Public Chapter:* PC862.pdf  
*Effective Date:* 07/01/24  
*Comment:* TCJFCJ BILL. Judge Howard got these sponsors from Sumner

**SB2359/HB1726 Prohibits immunization requirement as a condition of adoption or fostering.**

*Sponsors:* Sen. Watson, Bo , Rep. Gant, Ron  
*Summary:* Prohibits the department of children's services from requiring an immunization as a condition of adopting or overseeing a child in foster care if an individual or member of an individual's household objects to immunization on the basis of religious or moral convictions. Broadly captioned.

*Public Chapter:* PC699.pdf  
*Effective Date:* 03/25/24

**SB2627/HB2760 Abrial's Law – Part II**

*Sponsors:* Sen. Massey, Becky , Rep. Alexander, Rebecca  
*Summary:* Makes the following changes to the present law relevant to child custody. In a suit for annulment, divorce, separate maintenance, or in any other proceeding requiring the court to make a custody determination regarding a minor child, present law requires the determination to be made on the basis of the best interest of the child. In taking into account the child's best interest, the court must order a custody arrangement that permits both parents to enjoy the maximum participation possible in the life of the child, the location of the residences of the parents, the child's need for stability and all other relevant factors. The court must consider, along with several other factors, evidence of physical or emotional abuse to the child, to the other parent or to any other person. The court must, where appropriate, refer any issues of abuse to juvenile court for further proceedings. This amendment revises the present law and, instead, requires the court to consider evidence of physical or emotional abuse to the child, to the other parent, or to any other person, including the child's siblings. The court may, where appropriate, refer any issues of abuse to juvenile court for further proceedings. As required by the existing law regarding a permanent parenting plan, only if the limitations of the existing law regarding a permanent parenting plan are not dispositive of the child's residential schedule, then this amendment requires the court to consider the factors found in the present law relevant to child custody regarding making a determination based on the best interest of the child. Present law requires all judges involved in child custody proceedings to complete at least two hours of training or continuing education courses on domestic violence or child abuse per year or 10 hours per five years. This amendment adds to the present law by requiring the training to (i) be provided by a judge or retired judge with experience in assisting survivors

of domestic violence, child abuse, or child sexual abuse or a professional with experience in assisting survivors of domestic violence, child abuse, or child sexual abuse; and (ii) rely on evidence-based research by recognized experts in the listed topics. This amendment also requires a court to take into account the training required by the present law above in a custody proceeding. This amendment prohibits the court from ordering reunification treatment to reestablish a relationship with a parent or caregiver if a court has made findings against the parent or caregiver (i) that a parent has engaged in willful abandonment that continues for an extended period of time or substantial refusal to perform parenting responsibilities, or physical or sexual abuse or a pattern of emotional abuse of the parent, child or of another person living with that child; (ii) if a parent, or if a parent resides with an adult who, has been convicted as an adult of a sexual offense or has been found to be a sexual offender; or (iii) relating to severe child abuse, unless the court finds that reunification efforts are in the best interest of the child. The court must file written findings of fact that are the basis of its conclusions on that issue in the order addressing reunification. An order of reunification must not cut off contact with a parent who is non-abusive. In any proceeding in which a court makes an initial custody or custody modification determination after a court has made findings against a parent or caregiver as mentioned in the provision above, then this amendment prohibits the court from issuing an order restoring parenting time of the child to the parent or caregiver unless the court finds that the child will not be subject to further abuse or harm. The court must file written findings of fact that are the basis of its conclusions on that issue in the order addressing parenting time. However, if the court made findings against the parent or as mentioned in the provisions above and finds that reunification efforts are in the best interest of the child, then the court may order reunification treatment to reestablish a relationship with a parent or caregiver. The court must consider the safety of the child during and after reunification treatment and must file written findings of fact that are the basis of its conclusions on the issues of reunification treatment and the child's safety within 30 days of the close of the hearing or, if an appeal or petition for certiorari is filed, within five days thereafter, excluding Sundays. An order of reunification must not cut off contact with a parent who is non-abusive.

PC799.pdf

*Public Chapter:*

*Effective Date:*

04/23/24

## **SB2633/HB2644**

### **Revises current law on adoption and foster parents.**

*Sponsors:*

Sen. Haile, Ferrell , Rep. Leatherwood, Tom

*Summary:*

(1) Establishes that for purposes of terminating the parental or guardian rights of a parent or parents or a guardian or guardians of a child to that child in order to make that child available for adoption, "abandonment" means that: (A) If the child is four or more at the time of the filing of a petition for termination of parental rights, for a period of four consecutive months immediately preceding the filing of a proceeding, pleading, petition, or amended or supplemental petition to terminate the parental rights of the parent or parents or the guardian or guardians of the child who is the subject of the petition for termination of parental rights or adoption, the parent or parents or the guardian or guardians either have failed to visit or have failed to support or have failed to make reasonable payments toward the support of the child; and (B) If the child is less than

four at the time of the filing of a petition for termination of parental rights, for a period of three consecutive months immediately preceding the filing of a proceeding, pleading, petition, or amended or supplemental petition to terminate the parental rights of the parent or parents or the guardian or guardians of the child who is the subject of the petition for termination of parental rights or adoption, the parent or parents or the guardian or guardians either have failed to visit or have failed to support or have failed to make reasonable payments toward the support of the child; (2) Establishes that if the original pleading is amended or supplemented to allege a new or additional period of abandonment occurring after an original pleading, then each period of abandonment constitutes an additional ground for termination of parental rights for the court's consideration. For supplemental petitions to terminate parental rights, the calculation of the applicable time periods for abandonment is calculated from the date a motion to supplement was filed; (3) Requires a child-placing agency or attorney not licensed in this state to secure the services of a child-placing agency or attorney licensed in this state to provide adoption-related placement services to any expectant parent or child in this state; (4) Establishes that, while present law prohibits charging or receiving fees or any exchange of value from or on behalf of any person or persons legally adopting or accepting a child for adoption for rendering service in connection with placement of a child, the following payments by an interested person of reasonable charges or fees are not prohibited: (i) hospital or medical services for the birth of the child; (ii) medical care and other reasonable birth-related expenses for the mother or child; (iii) counseling fees for the parents or prospective adoptive parents or child; (iv) legal services or the reasonable costs of legal proceedings related to the adoption of any child; or (v) actual expenses for housing, food, maternity clothing, child's clothing, utilities, or transportation for a reasonable period not to exceed the duration of the pregnancy and 90 days after the birth, surrender, or parental consent to the adoption of the child; (5) Upon a motion filed by the prospective adoptive parents, authorizes a court with jurisdiction for the surrender or adoption of a child to specifically approve in a written order, based upon a detailed affidavit by a birth mother and other evidence as required by the court, any expenses specifically allowed in this section for a period before or after the periods in (4); (6) Requires that the expenses be incurred directly in connection with (i) maternity, birth, or placement of the child for adoption; (ii) legal services or costs of legal proceedings directly related to the adoption of the child; or (iii) counseling, which may occur in person or by virtual means, for a period of up to two years for the parent who surrenders the child or consents to the adoption of the child; (7) Establishes that reasonable, actual expenses for housing, food, maternity clothing, child's clothing, utilities, or transportation do not include expenses incurred prior to the birth mother becoming pregnant and entering into an adoption plan. These expenses must, whenever possible, be documented by receipts, invoices, rental agreements, or other written verification of expense, and must be reviewed by the court before which the birth mother surrenders or consents to adoption. If documentation is not otherwise available, then the birth mother and prospective adoptive parents must execute an itemized affidavit stating the specific reason for each payment, the amount paid, the date paid, and to whom each payment was made; (8) Authorizes the payment for the expenses to only be for expenses or costs actually incurred during the periods permitted in subdivisions (4)-(6), above. This (8) does not prohibit the actual payment or receipt of payment for expenses or costs

after those periods that were actually incurred during those periods; (9) Requires that the Tennessee surrender form include the language "The judge or other officiant has also advised me that I have the right to a lawyer," removing language in which the judge or officiant advises the person surrendering the child that they may still obtain a lawyer after the child is born, and the person may consult with the lawyer prior to and during any reaffirmation of the surrender the person chooses to make; (10) Establishes that a surrender is valid only if a home study of prospective adoptive parents is available to and reviewed by a court, which must produce a report; (11) Authorizes a surrender to be made at any time prior to birth; however, a surrender made prior to the birth of a child is not filed with the clerk of court until after the birth of the child and until the surrendering party or parties have filed a written reaffirmation of their desire to surrender the child, unless the surrender was executed in accordance with state law regarding surrenders made in other states or territories in the United States. A surrender made prior to the birth of a child must be reaffirmed within three calendar days of the birth of the child, except for a surrender executed in another state or territory; (12) Establishes that a surrender is not valid unless made after the earlier of discharge from a hospital or other birthing facility or 48 hours following the child's birth; however, the court may, for good cause shown, which is entered in an order in the minute book of the court, waive this waiting period; (13) Establishes that a surrender is not valid if the surrendering party states a desire to receive legal or social counseling until the request is satisfied or withdrawn; (14) Unless the surrender is made to the physical custodian or unless other exceptions under present law apply, a surrender is not sufficient to make a child available for adoption in any situation where another person or persons, the department, a licensed child-placing agency, or other child-caring agency in this state or any state, territory, or foreign country is exercising the right to physical custody of the child under a current court order at the time the surrender is sought to be executed, or when those persons or entities have any currently valid statutory authorization for custody of the child; (15) Authorizes the initiation of termination of parental or guardianship rights based upon any of the described in present law. The parental rights of a person who is not a legal parent at the time of the filing of a petition to terminate parental rights of such person, or if no such petition is filed, then at the time of the filing of a petition to adopt a child, is the putative father of the child, may also be terminated based upon any one or more of the following additional grounds: (i) the person has failed, without good cause or excuse, to make reasonable and consistent payments for the support of the child in accordance with the child support guidelines promulgated by the department; (ii) the person has failed to seek reasonable visitation with the child, and if visitation has been granted, has failed to visit altogether, or has engaged in only token visitation; (iii) the person has failed to manifest an ability and willingness to assume legal and physical custody of the child; (iv) placing custody of the child in the person's legal and physical custody would pose a risk of substantial harm to the physical or psychological welfare of the child; or (v) the person has failed to file a petition to establish paternity of the child within 30 days after notice of alleged paternity, or after making a claim of paternity; (16) Establishes that additional grounds for termination are that the court hearing the petition for termination of parental rights finds by clear and convincing evidence as follows: (A) The father engaged in an act of unlawful sexual penetration against the child's mother by which the child was conceived and the father (i) used force or coercion to

accomplish the act; (ii) accomplished the act without the consent of the mother of the child and the father knew or had reason to know at the time of penetration that the mother of the child did not consent; (iii) knew or had reason to know that the mother of the child was mentally defective, mentally incapacitated, physically helpless, or a vulnerable adult; or (iv) accomplished the sexual penetration by fraud; or (B) The father engaged in an act against the child's mother that resulted in (i) the child's conception; and (ii) the father's conviction for or plea of guilty to a criminal offense; (17) Authorizes a termination of parental rights and a finalization of an adoption may be heard and decided in the same hearing if the court determines it is in the best interest of the child; (18) Establishes that for the purposes of all grounds for termination of parental rights described in subsection (g), a person is presumed to have knowledge that sexual activity leads to pregnancy. An adult has an affirmative obligation to inquire whether their sexual activity has resulted in a pregnancy, and a minor has such obligation upon attaining eighteen 18 years of age regardless of when the sexual activity occurred. A lack of specific knowledge of a pregnancy or birth of a child does not serve as a defense to a ground for termination of parental rights if the person failed to inquire, or failed to attempt to inquire, whether the person's actions resulted in pregnancy or the birth of a child; (19) Requires a parent or guardian who is incarcerated at the time the parent is served with a petition to terminate parental rights to receive notice of the following: (A) A hearing will be held to determine whether the parent's rights will be terminated; (B) If the parent files a timely, written answer within 30 days of service of the petition to terminate their parental rights, then (i) the parent must receive advance notice of the time and place of the hearing; (ii) the parent has the right to participate in the hearing and to contest the allegation that the parent's rights should be terminated. At the discretion of the court, such participation may be achieved through personal appearance, teleconference, telecommunication, or other means deemed by the court to be appropriate under the circumstances; (iii) the parent may claim to be indigent and offer evidence of their financial circumstances and, if the court finds the parent to be indigent, the parent must be provided with a court-appointed attorney to assist the parent in contesting the termination of parental rights; (iv) the parent has the right to offer testimony and other evidence at the hearing by all means permitted by the Tennessee Rules of Civil Procedure; and (v) the parent has the continuing responsibility to update the court and petitioner's counsel with the parent's current contact information and mailing address promptly upon the parent's release from incarceration and upon any subsequent changes; and (C) Authorizes the rights specified in (19)(B) to be voluntarily waived by the parent's written or verbal statement or, if the court determines that the parent has waived the rights, by the parent's action or inaction, including the failure to timely claim indigency or file an answer to the petition to terminate parental rights. If the court determines that the rights specified in (19)(B) have been waived, then the court may hear and decide the petition without the parent's or guardian's participation; (20) If a parent or guardian was served with constructive notice and the petitioner did not know that the parent was incarcerated despite reasonable efforts to locate the parent, establishes that the absence of this notice to the parent or guardian is not a basis to set aside the termination of parental rights or adoption; (21) Requires an intervening petition for adoption to be decided upon the premise of permissive intervention pursuant to the Tennessee Rules of Civil Procedure. All requirements for prospective adoptive parents and the

filing requirements of the petition under any provision of state law relative to adoption must be met, except for the requirement of having physical custody or the right to receive physical custody at the time of filing; (22) Establishes that only a legal parent, guardian, or putative father of the child is a necessary party to the adoption proceeding or to a separate proceeding seeking termination of those rights prior to the entry of an order of adoption, and those rights must be terminated prior to the entry of an order of adoption. If a person has surrendered parental or guardianship rights to the child, executed a parental consent, waived the person's right, or the person's rights have been terminated by court order, then the person is not a necessary party; (23) Removes from present law the requirement that the parental rights of the putative father of a child who has not filed a petition to establish paternity of the child or who has not established paternity of the child who is the subject of an adoption proceeding and who meets any of the following criteria be terminated by surrender, parental consent, termination of parental rights, or by waiver of interest, before the court may enter an order of adoption concerning that child: (A) The biological father of a child has filed with the putative father registry a statement of an intent to claim paternity of the child at any time prior to or within 30 days after the child's birth and has notified the registry of all address changes; (B) The biological father has claimed to the child's biological mother, or the petitioners or their attorney, or to the department, a licensed child-placing agency, or a licensed clinical social worker who is involved in the care, placement, supervision, or study of the child, that the biological father believes that the biological father is the father of the child and has either paid financial support to or for the benefit of the child or the child's mother during the pregnancy or when the mother had physical custody of the child, or has made a court filing or appearance consistent with the biological father's claim of paternity. However, if the biological father has previously notified the department of the biological father's claim to paternity of the child pursuant to the putative father registry, then the biological father is subject to all requirements for waiver of notice provisions of the law relevant to the putative father registry and to all requirements for filing a paternity petition; (C) The biological father has openly lived with the child and has held himself out as the father of the child. However, if custody of the child has been removed from the biological mother by court order, then notice must be given to any man who was openly living with the child at the time of the initiation of the custody or guardianship proceeding that resulted in the removal of the custody or guardianship of the child from the biological mother or biological father, if the man held himself out to be the father of the child at the time of the removal; or (D) The biological father has entered a permanency plan under the law relevant to foster care, or under similar provisions of any other state or territory in which the biological father acknowledges paternity of the child; (24) When the child who is the subject of the adoption is 14 years of age or older at any time before the granting of the petition, requires the adoption court to receive the sworn, written consent of such child to the adoption, which must be filed with the record, and the consent of such minor must be recited in the order of adoption. The court must receive the consent and testimony from the child in chambers, if requested by the child; (25) Unless the person to be adopted has been adjudicated incompetent, or is over 18 and provides sworn, written consent to adoption, establishes that an order of reference, social investigation, report to the court by a licensed child-placing agency or licensed clinical social work or the department, putative father registry check in this state



or any other state, or a waiting period are not required; (26) Requires that service of process for adoption and termination proceedings in chancery and circuit courts and for proceedings to terminate parental rights in juvenile courts be made pursuant to the Tennessee Rules of Civil Procedure and state law governing substituted service; (27) Upon entry of the final order of adoption by the court, requires the clerk of the court to simultaneously furnish the adoptive parents or their attorney a certified copy of the order of adoption; (28) In all cases where the termination of parental rights or adoption of a child is contested by any person or agency, requires the trial court to, consistent with due process, expedite the contested termination or adoption proceeding by setting a scheduling conference within 30 days of the filing of a response or answer to a petition for termination of parental rights or adoption and entering such scheduling orders as are necessary to ensure that the case is not delayed. The court must give the case priority in setting a final hearing of the proceeding and must be heard at the earliest possible date over all other civil litigation other than child protective services cases; (29) Prohibits a notice of appeal in a termination of parental rights action from being filed by an attorney who is not specifically authorized by the appellant to file a notice of appeal on the appellant's behalf; (30) Establishes that jurisdiction continues until the juvenile court case has been dismissed, or until the custody determination is transferred to another juvenile, circuit, chancery, or general sessions court exercising domestic relations jurisdiction, or until a petition for adoption is filed regarding the child in question. A juvenile court retains jurisdiction to the extent needed to complete any reviews or permanency hearings for children in foster care as may be mandated by federal or state law; however, only the adoption court has jurisdiction to modify visitation or custody of the child while the adoption remains pending. This (28) does not establish concurrent jurisdiction for any other court to hear juvenile cases, but permits courts exercising domestic relations jurisdiction to make custody determinations in accordance with state law relative to juveniles; and (31) Establishes that a foster parent has the right to engage an attorney for the purposes of consultation and advice. The foster parent may invite their attorney to any meeting at which the foster parent is permitted to be present. The foster parent may provide information regarding their circumstances to their attorney without committing a breach of confidentiality, although all confidentiality obligations must then extend to their attorney, as pertains to the identifying information of the foster child and family.

*Public Chapter:*

PC996.pdf

*Effective Date:*

07/01/24

## **SB2660/HB1808**

### **Termination of parental rights due to substantial parental noncompliance.**

*Sponsors:*

Sen. White, Dawn , Rep. Butler, Ed

*Summary:*

requires the Department of Children Services (DCS) to petition to terminate the parental rights within 90 days of a juvenile court's finding that the parent or guardian has been substantially noncompliant with the statement of responsibilities in the child's permanency plan.

*Public Chapter:*

PC652.pdf

*Effective Date:*

07/01/24

**SB2744/HB2945 Parent's right to unimpeded phone conversations with child.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Grills, Rusty  
*Summary:* Expands the right to unimpeded telephone calls twice a week at reasonable times within the parenting plan with the parent's child to include video conference conversations if available. Broadly captioned.  
*Public Chapter:* PC711.pdf  
*Effective Date:* 04/01/24

**SB2749/HB2936 Families' Rights and Responsibilities Act.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Faison, Jeremy  
*Summary:* Enacts the "Families' Rights and Responsibilities Act," which allows all parental rights to be exclusively reserved to a parent of a child without obstruction by or interference from a government entity unless abuse, neglect, or endanger a child occurs. Details violations by a government entity. States that medical procedures done on a child must be done with notification and consent of the parent. Details violations of the practice if occurs. Broadly captioned.

*Amendment Summary:* Senate Amendment 3 (017296) makes the following changes to the bill:  
(1) Provides that "biometric data," as used in the bill, means data generated by automatic measurements of an individual's biological characteristics, such as a fingerprint, voiceprint, eye retina or iris, or other unique biological pattern or characteristic, that is used to identify a specific individual, but does not include (i) a physical or digital photograph, a video or audio recording, or data generated from the recording, or information collected, used, or stored for healthcare treatment, payment, or operations under HIPPA; and (ii) data or information collected, used, or stored for law enforcement purposes; (2) Adds to the bill that parents have the right to be notified promptly if an employee of the state reasonably believes that abuse, neglect, or any criminal offense has been committed against the child by someone other than the parent, unless an employee of the state, a political subdivision of the state, a local education agency, a public charter school, or any other governmental entity is required by law to withhold such information; (3) Revises the bill to provide that parents have the right to consent before any government entity makes a video or voice recording of the child, unless the video or voice recording is made during or as a part of a law enforcement interaction, instead of a law enforcement investigation; (4) Provides that the provisions in the bill prohibiting a government entity from substantially burdening the fundamental rights of parents unless the government entity demonstrates that the burden, as applied to the parent and the child, is required by a compelling governmental interest of the highest order and is the least restrictive means of furthering that compelling governmental interest and the provisions of this bill providing that all parental rights are exclusively reserved to a parent of a child without obstruction by or interference from a government entity does not prevent the department of children's services from conducting an investigation or otherwise carrying out its responsibilities under state law; (5) Provides that the provisions in the bill prohibiting a government entity from substantially burdening the fundamental rights of parents unless the government entity demonstrates that the burden, as applied to the parent and the child, is required by a compelling governmental interest of the highest order and is the least restrictive means of furthering that

compelling governmental interest and the provisions of this bill providing that all parental rights are exclusively reserved to a parent of a child without obstruction by or interference from a government entity do not apply when (i) a parent of the minor has given blanket consent authorizing the person or entity to perform an activity; (ii) a government entity or any other person reasonably relies in good faith on an individual's representations that the individual is the parent of a minor or has otherwise been granted authority to make decisions regarding a minor's care under state law; (iii) a person participates or assists in rendering emergency care; (iv) an employee of a local education agency acts to control bleeding using a bleeding control kit; or (v) services are provided to or information is received or maintained about a minor enrolled in an institution of higher education or a minor participating in a program for which the minor's parent has consented to the child's participation by an employee of the institution of higher education or other school official; (6) Clarifies that a public employee must not withhold from a child's parent information that is relevant to the physical, emotional, or mental health of the child unless required by law to withhold such information; (7) Prohibits a person or entity that is not a parent from having standing to raise in any proceeding in this state the fundamental rights of a parent established in this bill; (8) Revises the provision in the bill that provides if a child has no affirmative right of access to a particular surgical, medical, or mental health procedure or service, then this bill does not grant that child's parent an affirmative right of access to that procedure or service on that child's behalf by, instead, providing that this bill does not give parents a right to medical treatments for their children that have been prohibited by state law; (9) Adds to the provisions in the bill prohibiting a government entity, healthcare provider, or other person from knowingly taking any of the following actions with regard to a minor without first obtaining the consent of a parent of the minor: (i) treating, professing to diagnose, operating on, or prescribing for any physical ailment, physical injury, or deformity; (ii) prescribing, dispensing, delivering, or administering any drug or medication; (iii) rendering certain psychological services; or (iv) rendering certain counseling services. This amendment clarifies that the above prohibitions do not apply when services are provided to a minor enrolled in an institution of higher education by a licensed provider employed by the institution of higher education; (10) Revises the bill to no longer authorize a parent to bring a civil cause of action to recover punitive damages when an entity or healthcare provider allegedly violates the provisions of the bill prohibiting a government entity, healthcare provider, or other person from knowingly taking any of the following actions with regard to a minor without first obtaining the consent of a parent of the minor: (i) treating, professing to diagnose, operating on, or prescribing for any physical ailment, physical injury, or deformity; (ii) prescribing, dispensing, delivering, or administering any drug or medication; (iii) rendering certain psychological services; or (iv) rendering certain counseling services; and (11) Requires a civil action commenced against a healthcare provider to be brought within one year after the cause of action accrued. However, in the event the alleged injury is not discovered within such one-year period, the period of limitation is one year from the date of such discovery, but in no event must any such action be brought more than three years after the date on which the negligent act or omission occurred except where there is fraudulent concealment on the part of the defendant, in which case the action must be commenced within one year after discovery that the cause of action exists. However, the previous limitations do not apply in

cases where a foreign object has been negligently left in a patient's body, in which case the action must be commenced within one year after the alleged injury or wrongful act is discovered or should have been discovered. House amendment 4 (018448) makes the following changes: (1) Provides that the enumeration of parental rights in this bill does not abridge any additional parental rights codified or recognized under current law or prohibit the codification or recognition of additional parental rights; and (2) Deletes the provision in the bill providing that the prohibitions relevant to healthcare in the bill summary do not apply when services are provided to a minor enrolled in an institution of higher education by a licensed provider employed by the institution of higher education. House amendment 5 (018918) revises the provision requiring the "Families' Rights and Responsibilities Act" to be construed using the protections of the fundamental right of parents to the care, custody, and control of their child afforded by such Act in addition to the protections provided under federal law, state law, and the state and federal constitutions by deleting the federal constitution from the additional protections.

*Public Chapter:* PC1061.pdf  
*Effective Date:* 07/01/24

**SB2840/HB2911 Grandparent visitation.**

*Sponsors:* Sen. Jackson, Ed , Rep. Eldridge, Rick  
*Summary:* Defines reasonable visitation with regard to grandparent visitation as being sufficient contact to reasonable permit a strong and meaningful relationship to be established with the child as a minimum.

*Public Chapter:* PC715.pdf  
*Effective Date:* 04/01/24

**GOVERNMENT ORGANIZATION**

**SB447/HB619 Required notice for the proposed discharge of a child committed to the custody of DCS.**

*Sponsors:* Sen. Lowe, Adam , Rep. Travis, Ron  
*Summary:* requires the commissioner of children's services to notify the committing court at least 15 days prior to the proposed discharge of a delinquent child who was committed to the custody of the department of children's services for an indefinite time.

*Public Chapter:* PC611.pdf  
*Effective Date:* 07/01/24

**SB613/HB590 Annual report date of the status of childcare agencies extended.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Littleton, Mary  
*Summary:* Revises the present law that provides that, within 30 days of the date of foster care placement, an agency must prepare a plan for each child in its foster care. Such plan must include a goal for each child of the (i) return of the child to parent; (ii) permanent placement of the child with a fit and willing relative or relatives of the child; (iii) adoption, giving first preference to the foster home to adopt the child when applicable; (iv) permanent guardianship; or (v) a planned permanent living arrangement.

This amendment requires the permanency plan for any child in foster care for six months or longer as a result of abuse or neglect that includes as a permanency goal the return of the child to the parent, to also include a requirement that the parent complete trauma-informed education before the child is returned to the parent. The trauma-informed education may be completed via electronic means. The department of children's services is authorized to work with nonprofit organizations to develop appropriate training materials for the trauma-informed education required by this bill and delivery pathways at no additional cost to the state.

*Public Chapter:* PC591.pdf  
*Effective Date:* 03/27/24

**SB1605/HB1748**      **Sunset - commission on children and youth.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the commission on children and youth to June 30, 2028.  
*Public Chapter:* PC825.pdf  
*Effective Date:* 05/01/24

**SB1633/HB1776**      **Sunset - Tennessee Board of Court Reporting.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Tennessee Board of Court Reporting to June 30, 2025.  
*Public Chapter:* PC673.pdf  
*Effective Date:* 04/01/24

**JUDICIARY**

**SB1801/HB1906**      **Limitations of actions for minor victims of trafficking for a commercial sex act.**

*Sponsors:* Sen. Johnson, Jack , Rep. McCalmon, Jake  
*Summary:* (1) Establishes that "trafficking for a commercial sex act" means, if the victim was a minor, that a person (i) knowingly subjects or attempts to subject, benefits from, or attempts to benefit from the victim's provision of a commercial sex act; or (ii) recruits, entices, harbors, transports, provides, purchases, or obtains by any other means the victim for the purpose of providing a commercial sex act; (2) After references to "child sexual abuse," adds the language "or trafficking for a commercial sex act"; (3) If an action is brought against someone other than the alleged perpetrator of the child sexual abuse or trafficking for a commercial sex act, and if the action is brought more than one year from the date the injured person attains the age of majority, requires the injured person to offer admissible and credible evidence corroborating the claim of abuse or trafficking by the alleged perpetrator; and (4) Requires that a civil action for an injury or illness based on trafficking for a commercial sex act that occurred when the injured person was a minor be brought (i) for a commercial sex act that occurred before July 1, 2024, but was not discovered at the time of the commercial sex act, within three years from the time discovery of the abuse by the injured person; or (ii) for a commercial sex act that occurred on or after July 1, 2024, within 30 years from the date the person becomes 18.

*Public Chapter:* PC790.pdf  
*Effective Date:* 07/01/24

**SB1838/HB2715** **Creates one additional trial court in the 18th judicial district.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Garrett, Johnny  
*Summary:* Creates one additional trial court in the 18th judicial district.  
*Public Chapter:* PC600.pdf  
*Effective Date:* 03/27/24

**SB1985/HB2267** **Postponed trial for forcible entry and detainer.**

*Sponsors:* Sen. Swann, Art , Rep. Boyd, Clark  
*Summary:* Decreases from 15 to seven the number of days that a general session judge may postpone a trial for forcible entry and detainer. Also removes the ability to be moved to circuit court by writs of certiorari and superseseas. Broadly captioned.  
*Public Chapter:* PC755.pdf  
*Effective Date:* 07/01/24

**SB2059/HB2791** **Report on juvenile court noncompliance regarding data collection.**

*Sponsors:* Sen. Walley, Page , Rep. Littleton, Mary  
*Summary:* Requires the administrative office of the courts to submit a report, by October 1 of each year, listing each juvenile court, if any, that is not in compliance with quality statewide data collection requirements, including the dates of noncompliance and steps that could be taken to bring the court into compliance. The report must be submitted to the juvenile court judges of the courts that are not in compliance and the chairs of the judiciary committee of the senate and the civil justice committee of the house of representatives.  
*Public Chapter:* PC685.pdf  
*Effective Date:* 04/01/24

**SB2185/HB1717** **Submission of information to the county legislative body by judicial commissioners.**

*Sponsors:* Sen. Taylor, Brent , Rep. Gillespie, John  
*Summary:* Requires, upon request of the county legislative body, the judicial commissioners to submit any relevant information to the county legislative body at least seven days before the public hearing. Broadly captioned.  
*Public Chapter:* PC616.pdf  
*Effective Date:* 03/27/24

**SB2186/HB1716** **Management and supervision of appointed judicial commissioners.**

*Sponsors:* Sen. Taylor, Brent , Rep. Gillespie, John  
*Summary:* Requires, in a county with more than one general sessions judge in which the judicial commissioners are supervised by the general sessions judges, the management and supervision of any judicial commissioners to rotate between the general sessions judges having criminal jurisdiction in the county on an annual basis.

Public Chapter: PC786.pdf  
Effective Date: 04/23/24

**SB2375/HB2320**

**Initial pleading in an action on a consumer debt.**

Sponsors:  
Summary:

Sen. Watson, Bo , Rep. Hazlewood, Patsy  
(1) In an action on consumer debt filed in a general sessions court, requires the plaintiff to include the following information with a civil warrant or any other leading process used to initiate the action: (i) a statement that the debt claim has been transferred or assigned; (ii) the date of the transfer or assignment of the debt claim; (iii) the name of any prior holders of the debt starting at the point of charge off; and (iv) the name or a description of the original creditor; (2) Prior to an award of a default judgment on any action subject to the requirements of (1), requires the plaintiff to present to the court documentation sufficient to demonstrate the authority of the plaintiff to collect the debt and at least one of the following that is sufficient to demonstrate the existence of the consumer debt: (i) an agreement signed by the consumer; (ii) a record of a purchase, payment, or use of an account; or (iii) a record otherwise demonstrating the debt was incurred; (3) Establishes that the requirements of the bill apply irrespective of any evidence submitted by the plaintiff, including affidavits submitted to the court; (4) Establishes that the bill does not apply to a plaintiff who is an original creditor on the consumer debt at issue or is otherwise listed as a lienholder on property securing the debt issue; and (5) Establishes that a "charge off" means a creditor's removal of a consumer debt as an asset from the creditor's financial records.

Public Chapter: PC914.pdf  
Effective Date: 07/01/24

**SB2517/HB2002**

**Creation of an additional trial courts in the 4th and 19<sup>th</sup> judicial districts. Removal of two from the 30<sup>th</sup>.**

Sponsors:  
Summary:

Sen. Niceley, Frank , Rep. Farmer, Andrew  
Effective September 1, 2024, creates one additional trial court in each of the 4th and 19th judicial districts. Requires the Governor to appoint a person to serve as an additional judge, until September 1, 2026. Requires the qualified voters of the 4th and 19th judicial districts to elect a judge for the created courts in the August 2026 general election to serve until September 1, 2030. At the August 2030 general election, and every eight years thereafter, requires the qualified voters of the 4th and 19th judicial districts to elect a judge for the created courts for the full eight-year term. Effective September 1, 2024, eliminates part VII of the circuit court of the 30th judicial district. Effective upon becoming a law, eliminates part IX of the criminal court in the 30th judicial district. Requires any cases pending on the applicable date be transferred to other circuit or criminal courts within the 30th judicial district. Senate amendment 2 (017794) establishes a local rule, starting July 1, 2024, to deal with any backlog of cases within the thirtieth judicial district. The local rule will involve redistributing cases in a manner that complies with Supreme Court Rule 11. Suggests that cases will be reassigned or managed differently to address the backlog effectively.

Public Chapter: PC977.pdf

Effective Date: 05/21/24

**SB2689/HB2930 Directs AOC to define and develop a centralized system of case management.**

Sponsors: Sen. White, Dawn , Rep. Sexton, Cameron

Summary: Directs the AOC to define and develop a centralized system of case management, document management, electronic case filing, electronic payment methods, data reporting, and any other capability deemed necessary for collection and reporting of all state and local court public case level data. Specifies that the development of the centralized system must include projections for ongoing costs and maintenance of such a system. Broadly captioned.

Public Chapter: PC947.pdf

Effective Date: 05/06/24

**SB2793/HB2931 BJC - Requirements for judge entering into a deferred discipline agreement.**

Sponsors: Sen. Gardenhire, Todd , Rep. Sexton, Cameron

Amendment Summary: Requires an investigative panel of the Board of Judicial Conduct to require a judge sign an affidavit before entering into a deferred discipline agreement. Requires the affidavit to state that: the judge consents to the recommendation of the investigative panel; the consent is freely given; there is a pending proceeding involving allegations of misconduct; and the facts set forth in the affidavit are true. Requires the affidavit to be filed with the board upon its approval by the investigative or hearing panel.

Public Chapter: PC922.pdf

Effective Date: 07/01/24

**SB2855/HB1830 Creates one additional circuit court in the 23rd judicial district.**

Sponsors: Sen. Roberts, Kerry , Rep. Littleton, Mary

Summary: Creates one additional circuit court in the 23rd judicial district for a total of four.

Public Chapter: PC880.pdf

Effective Date: 05/01/24

**LOCAL GOVERNMENT**

**SB2257/HB2209 Placing a constable on administrative leave.**

Sponsors: Sen. Walley, Page , Rep. Capley, Kip

Summary: Requires a court to place a constable on administrative leave pending a preliminary hearing, instead of until the conclusion of the criminal prosecution, if the constable is indicted or formally charged with a misdemeanor involving gambling or moral turpitude or a felony. Requires a court to place the constable on administrative leave until the conclusion of the criminal prosecution if the court finds probable cause that the constable committed the crime.

Public Chapter: PC753.pdf

Effective Date: 07/01/24



**SB2572/HB1931**

**Local government entities prohibited in adopting ordinance that limits law enforcement.**

*Sponsors:*

Sen. Taylor, Brent , Rep. Gilliespie, John

*Summary:*

Specifies that a local governmental entity or official shall not adopt or enact a resolution, ordinance, or policy that prohibits or limits the ability of a law enforcement agency to conduct traffic stops based on observation of or reasonable suspicion that the operator or a passenger in a vehicle has violated a local ordinance or state or federal law. A resolution, ordinance, or policy that is adopted in violation of this section is null and void.

*Public Chapter:*

PC631 .pdf

*Effective Date:*

03/28/24

**MENTAL HEALTH**

**SB1769/HB1640**

**Adjudication as a mental defective.**

*Sponsors:*

Sen. Lundberg, Jon , Rep. Lamberth, William

*Summary:*

(1) Names the bill "Jillian's Law"; (2) Permits a person who has been adjudicated as a mental defective or judicially committed to a mental institution under this bill to petition the appropriate court that entered the judicial commitment or adjudication order for relief from the firearm disabilities imposed by the adjudication or judicial commitment. However, the person may not petition the court until three years from the date of release from commitment or the date of the adjudication order, whichever is later; (3) Clarifies that there is a rebuttable presumption that a person meets the standards for judicial commitment if the person was charged with a felony or Class A misdemeanor and found by a court to be incompetent to stand trial for the offense due to an intellectual disability, and this presumption may only be rebutted by clear and convincing evidence that the person does not pose a substantial likelihood of serious harm; (4) Adds that a person judicially committed must remain committed until the competency of the person to stand trial is restored or, if competency is unable to be restored but the person no longer meets the standard set in present law, until the court with criminal jurisdiction over the charges approves a mandatory outpatient treatment plan that accounts for the safety of the community; (5) Clarifies that there is a rebuttable presumption that a person meets the standard for admission to treatment facility for emergency admission to a hospital or treatment resource if the person was charged with a felony or Class A misdemeanor and found by a court to be incompetent to stand trial for the offense due to mental illness, and the presumption established in this amendment may only be rebutted by clear and convincing evidence that the person does not pose an immediate substantial likelihood of serious harm; (6) Clarifies that the rebuttable presumption is for a person who meets the standard for judicial commitment if the person was charged with a felony or Class A misdemeanor and found by a court to be incompetent to stand trial for the offense due to mental illness and that this presumption may only be rebutted by clear and convincing evidence that the person does not pose a substantial likelihood of serious harm; (7) Adds that if a person is committed involuntarily by a criminal or juvenile court after being found incompetent to stand trial or if the criminal or juvenile court determines at the time of commitment that, due to the

nature of the person's criminal conduct that created a serious risk of physical harm to other persons, the person must not be discharged from the commitment without proceedings under present law to review eligibility for discharge, then the hospital must proceed under present law to effect discharge from the commitment; and (8) Adds that an admission must remain in effect until the competency of the person to stand trial is restored or, if competency is unable to be restored, until the court with criminal jurisdiction over the charges approves a mandatory outpatient treatment plan that accounts for the safety of the community. House amendment 2 (015789) revises the bill to authorize a rebuttable presumption that a person meets the standard for emergency admission to a hospital or treatment resource if the person was charged with a felony or Class A misdemeanor and found by a court to be incompetent to stand trial for the offense due to mental illness, to only be rebutted by clear and convincing evidence that the person does not pose an imminent, instead of immediate, substantial likelihood of serious harm. House amendment 3 (017844) directs that if Senate Bill 2098 / House Bill 2089 becomes law, the Tennessee Code Commission is directed to incorporate the language from SECTIONS 10-12 into the newly created §§ 52-5-404, 52-5-411, and 52-5-501.

*Public Chapter:*

PC784.pdf

*Effective Date:*

07/01/24

### **SB2028/HB1643**

#### **Mental health evaluation and treatment for criminal defendants.**

*Sponsors:*

Sen. Reeves, Shane , Rep. Lamberth, William

*Summary:*

Requires the state to pay the cost of a court-ordered mental health evaluation and treatment for criminal defendants who have been charged with a misdemeanor and are believed to be incompetent to stand trial or for whom there is a question about mental capacity at the time of the offense. Broadly captioned.

*Public Chapter:*

PC905.pdf

*Effective Date:*

07/01/24

### **SB2079/HB1682**

#### **CON for care and treatment - person's need for involuntary admission to inpatient treatment.**

*Sponsors:*

Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:*

(1) Requires the person with overall authority for a public or private hospital, developmental center, treatment resource, or developmental disabilities service or facility, or the person's designee ("chief officer") to file with the court, by the time of the probable cause hearing for emergency involuntary admission to inpatient treatment, certificates of need for care and treatment from (i) two licensed physicians; (ii) one licensed physician and one psychologist; or (iii) one licensed physician and one qualified advanced practice provider, who is not in a collaborating agreement with the licensed physician who signed the other certificate of need filed with the court as required by state law, certifying that the defendant satisfies the prerequisites for judicial commitment for involuntary care and treatment, and certifying that if involuntary treatment is not continued, the defendant's condition resulting from mental illness or serious emotional disturbance is likely to deteriorate rapidly to the point that the defendant would again be admissible for emergency involuntary inpatient treatment, and showing the factual foundation for

the conclusions on each item of the certificates; and (2) Prohibits a defendant from being judicially committed for nonemergency involuntary inpatient treatment unless (i) two licensed physicians; (ii) one licensed physician and one licensed psychologist; or (iii) one licensed physician and one qualified advanced practice provider, who is not in a collaborating agreement with the licensed physician who signed the other certificate required by state law, file in the commitment proceeding certificates of need for care and treatment certifying that the defendant satisfies the prerequisites for nonemergency involuntary admission to inpatient treatment and showing the factual foundation for the conclusions on each item. A defendant who is a child under 16 must not be judicially committed for nonemergency involuntary inpatient treatment unless one of the certificates is filed by a physician, psychologist, or qualified advanced practice provider with experience with children.

*Public Chapter:* PC785.pdf  
*Effective Date:* 07/01/24

## **PROPERTY & HOUSING**

### **SB1694/HB1814 Disclosure of information to residential tenant by landlord.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Thompson, Dwayne  
*Summary:* Requires a landlord, or any person authorized to enter into a rental agreement on the landlord's behalf, to disclose certain contact information and means of communication to a residential tenant at or prior to commencement of tenancy.

*Public Chapter:* PC907.pdf  
*Effective Date:* 01/01/25

## **PUBLIC EMPLOYEES**

### **SB1820/HB2000 Compensation of employees of the office of the attorney general and reporter.**

*Sponsors:* Sen. Rose, Paul , Rep. Farmer, Andrew  
*Summary:* Empowers the attorney general to fix the attorney general's and their assistant's compensation. Limits the attorney general's salary to an associate justice on the supreme court or a Class 1 official. Permits the attorney general to pay salaries in periodic installments.

*Public Chapter:* PC909.pdf  
*Effective Date:* 05/03/24

### **SB2730/HB2820 Supplemental adjustment to state funding for public defender offices in the 20th and 30th judicial districts.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Camper, Karen  
*Summary:* For the twentieth (Davidson County) and thirtieth (Shelby County) judicial districts, require the state to pay, in equal quarterly installments, to the county or metropolitan government which has a local public defender, an amount annually appropriated for that purpose. Such amount must not be less than the amount appropriated in fiscal year 1992-1993. In addition to

the amount appropriated in 1992-1993 the base level of state support on July 1, 2013, must be adjusted to reflect the percent of change in the average consumer price index (all items-city average) as published by the United States department of labor, bureau of labor statistics, between that figure for the calendar year 2011 and the calendar year 2012. Each succeeding July 1, a similar adjustment must be made, based on the percent of change in the average consumer price index between the two calendar years preceding July 1 of the year in which the adjustment is made. The adjustment provided for in this section must not exceed the greater of 5 percent per annum or the percentage increase provided for the state public defender and district attorney general offices during the fiscal year for which the adjustment was made.

*Public Chapter:*

PC1059.pdf

*Effective Date:*

05/28/24

## **SB1493/HB1012**

### **Notification of the election or appointment of a constable.**

*Sponsors:*

Sen. Jackson, Ed , Rep. Grills, Rusty

*Amendment Summary:*

Makes changes relative to certain fees collected by sheriffs and constables, as described below. This amendment authorizes a county legislative body to adopt a resolution to increase the fees that a constable is entitled to receive under this bill, or to generally supplement the pay of a constable who is an officer of the county. This amendment requires a fee increase or pay supplement to be commensurate with the nature of the work, services provided, and experience of the constable. Present law provides that the sheriff or constable is entitled to \$40 as a fee for providing service in person regardless of whether the process was issued by a clerk for any court. This amendment increases this fee to \$50. Present law provides that, for a levy of an execution on property or levy of an attachment or other process to seize property for the purpose of securing satisfaction of a judgment yet to be rendered or for executing a writ of replevin or writ of possession, the sheriff or constable is entitled to demand and receive a fee of \$40. This amendment increases this fee to \$50. Present law provides that the sheriff or constable is entitled to demand and receive a fee of \$20 for collecting money to satisfy a judgment, whether by execution, fieri facias, garnishment or other process, in civil cases each time collection is attempted. This amendment increases this fee to \$40.

*Effective Date:*

07/01/24

## **TORT LIABILITY**

### **SB2017/HB2113**

#### **Property tort cause of action for unpaid wages.**

*Sponsors:*

Sen. Reeves, Shane , Rep. Powers, Dennis

*Summary:*

Requires a property tort cause of action for unpaid wages for hours worked, overtime, minimum wage, salary, bonuses, commissions, or other compensation owed to an employee or independent contractor,

including causes of action for breach of contract, unjust enrichment, or quantum merit to be brought within three years of accruing.

*Public Chapter:* PC747.pdf  
*Effective Date:* 07/01/24

## **TRANSPORTATION VEHICLES**

### **SB1055/HB587 Blood alcohol concentration percentage threshold lowered for DUI.**

*Sponsors:* Sen. Rose, Paul , Rep. Gant, Ron  
*Summary:* Lowers the threshold for the minimum sentence of driving under the influence to a blood alcohol concentration percentage of .15 from .20.  
*Public Chapter:* PC1011.pdf  
*Effective Date:* 07/01/24

### **SB1913/HB1944 Class B misdemeanor offense - operation of motor vehicle with altered height of front fender.**

*Sponsors:* Sen. Niceley, Frank , Rep. Carr, Dale  
*Summary:* Makes it a Class B misdemeanor offense for a person to operate a passenger motor vehicle on a street, road, or highway in this state if, by alteration of the suspension, frame, or chassis, the height of the vehicle's front fender is four or more inches greater than the height of the rear fender. Broadly captioned.  
*Public Chapter:* PC541.pdf  
*Effective Date:* 07/01/24

### **SB2087/HB1688 Deposit of driver licenses in lieu of bail.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Deletes the provision authorizing municipalities and counties to grant the option permitting a person charged with violating certain traffic ordinances to deposit the person's driver license in lieu of bail. Part of Administration Package.  
*Public Chapter:* PC530.pdf  
*Effective Date:* 03/07/24

### **SB2250/HB2429 Authorization for use of alternative facilities for incarceration of first-time DUI offender.**

*Sponsors:* Sen. Stevens, John , Rep. Farmer, Andrew  
*Summary:* States that the court, rather than the sheriff or administrative officer of a local jail, may authorize the use of alternative facilities for the incarceration of an offender convicted of a first-time offense of driving under the influence.  
*Public Chapter:* PC774.pdf  
*Effective Date:* 04/23/24

## **WELFARE**

### **SB163/HB441**

## **Powers of district attorney general pursuant to TN Adult Protection Act.**

*Sponsors:*

Sen. Walley, Page, Rep. Shaw, Johnny

*Summary:*

Makes the changes described below to the present law regarding adult protection relevant to confidentiality of information, reports, and proceedings. Present law requires adult protective services to do the following: (1) Provide to the district attorney general a complete and unredacted copy of adult protective services' entire investigative file upon the commencement of a criminal prosecution for alleged conduct involving an elderly or vulnerable adult victim obtained in the course of an investigation. However, the identity of the person who reported the alleged conduct must only be provided pursuant to (2) below and when there is a duty to disclose evidence under the rules of discovery in a criminal prosecution; (2) Provide to the district attorney general the identity of the person reporting alleged conduct involving an elderly or vulnerable adult victim upon the return of a criminal indictment or presentment arising from the report and pursuant to written request by the district attorney and entry of a protective order preventing further release of the identity of the person reporting for any purpose other than criminal prosecution; and (3) Provide to the district attorney general, upon request, the names of individuals obtained in the course of an adult protective services investigation that have information relevant to a criminal investigation of alleged conduct involving an elderly or vulnerable adult victim. However, if the name of the person that reported the alleged conduct is included, then the individual must not be identified as the reporter of the alleged conduct. This bill deletes the provisions above and, instead, requires adult protective services to provide to the district attorney general a complete and unredacted copy of adult protective services' entire investigative file, including the identity of the person who reported the alleged conduct, upon the commencement of a criminal prosecution for alleged conduct involving an elderly or vulnerable adult victim obtained in the course of an investigation. However, the identity of the person who reported the alleged conduct must remain confidential, must be exempt from other provisions of law, must not be a public record, and must not be disclosed for any other purpose other than criminal investigation or criminal prosecution. Upon the return of a criminal indictment or presentment arising from a report of alleged conduct involving an elderly or vulnerable adult victim where the identity of the person reporting the conduct has been provided to the district attorney general, this amendment requires the district attorney general to request and the court must enter a protective order preventing further release of the identity of the person reporting for any purpose other than criminal prosecution.

*Public Chapter:*

PC655.pdf

*Effective Date:*

07/01/24

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### **CRIMINAL LAW**

**SB2048/HB1825**

**Increase in the limit on the amount of products containing ephedrine or pseudoephedrine base that a pharmacy may sell.**

*Sponsors:* Sen. Stevens, John , Rep. Farmer, Andrew  
*Summary:* Increases the limit on the amount of products containing ephedrine or pseudoephedrine base, or their salts, isomers, or salts of isomers that a pharmacy may sell or a person may purchase in a 30-day period from 5.76 grams to 7.2 grams. Removes the limit on the amount of such products that may be purchased or sold within a one-year period.

*Amendment Summary:* Senate amendment 1 (015567) makes the following changes: (1) Prohibits a pharmacy from selling products containing ephedrine or pseudoephedrine base, or their salts, isomers, or salts of isomers to the same person in an amount more than 43.2 grams in any one-year period; and (2) Prohibits a person from purchasing products containing ephedrine or pseudoephedrine base, or their salts, isomers, or salts of isomers in an amount more than 43.2 grams in any one-year period.

*Public Chapter:* PC846.pdf  
*Effective Date:* 07/01/24

**SB2062/HB1881      **Penalty for assault against a law enforcement officer.****

*Sponsors:* Sen. White, Dawn , Rep. Capley, Kip  
*Summary:* Establishes a penalty for assault against a law enforcement officer that is a Class E felony and mandates a \$10,000 fine and a minimum of 60 days incarceration. Broadly captioned.

*Amendment Summary:* House amendment 1 (018655) enacts the "Back the Blue Act." Enhances the penalty for assault against a law enforcement officer, from a Class A misdemeanor with a mandatory minimum 30-day sentence and \$5,000 fine, to a Class E felony with a mandatory minimum 60-day sentence and \$10,000 fine.

*Public Chapter:* PC976.pdf  
*Effective Date:* 07/01/24

**SB2229/HB2301      **Sheriff's department's and municipal law enforcement department's annual audit report requirements.****

*Sponsors:* Sen. Rose, Paul , Rep. Howell, Dan  
*Summary:* Makes the changes below to the law regarding criminal offenses and penalties for drugs. Present law requires a violation of the law regarding criminal offenses and penalties for drugs or a conspiracy to violate the law regarding criminal offenses and penalties for drugs where the recipient or the intended recipient of the controlled substance is under 18 to be punished one classification higher. This amendment adds to the present law by requiring a violation of the law regarding criminal offenses and penalties for drugs or a conspiracy to violate the law regarding criminal offenses and penalties for drugs to be punished as second degree murder if the substance involved is fentanyl or carfentanyl, or any analogue or derivative thereof, either alone or in combination with any substance scheduled as a controlled substance by the Tennessee Drug Control Act of 1989, including controlled substance analogues, and the violation resulted in the death of another person.

*Public Chapter:* PC957.pdf

*Effective Date:* 07/01/24

**SB2495/HB2728**

**Probation officers to meet with probationers utilizing a technology portal.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Faison, Jeremy

*Summary:* Authorizes probation officers to meet with probationers utilizing a technology portal or for probationer's employer to submit weekly reports verifying the probationer's current employment in place of an in-person meeting upon approval by the department of correction. Broadly captioned.

*Amendment Summary:* House amendment 1 (014565) makes the following changes to the bill: (1) Deletes the provisions in the bill authorizing the probation officer to allow an employer to submit weekly reports verifying the probationer's current employment in place of reporting in person to the probation officer; and (2) Deletes the provisions in the bill authorizing the sentencing court, on its own motion or on application of a probation and parole officer, district attorney general, or the defendant, to (i) modify a condition; (ii) remove a condition; (iii) release the defendant from further supervision; or (iv) modify the conditions of supervision to release a defendant from in-person reporting requirements.

*Public Chapter:* PC760.pdf

*Effective Date:* 04/22/24, 07/01/24

**FAMILY LAW**

**SB1738/HB2169**

**Tennessee Foster and Adoptive Parent Protection Act.**

*Sponsors:* Sen. Rose, Paul , Rep. Littleton, Mary

*Summary:* Enacts the "Tennessee Foster and Adoptive Parent Protection Act," as described below. This amendment prohibits the department of children's services from doing the following: (1) Requiring a current or prospective adoptive or foster parent ("parent") to affirm, accept, or support any government policy regarding sexual orientation or gender identity that conflicts with the parent's sincerely held religious or moral beliefs; (2) Denying a parent's eligibility to foster or adopt based, in whole or in part, upon the parent's sincerely held religious or moral beliefs regarding sexual orientation or gender identity; and (3) Establishing or enforcing a standard, rule, or policy that precludes consideration of a parent for a placement based, in whole or in part, upon the parent's sincerely held religious or moral beliefs regarding sexual orientation or gender identity. Such beliefs do not create a presumption that any particular placement is contrary to the best interest of the child. However, this amendment does not preclude the department from considering the religious or moral beliefs of an adoptive or foster child or the child's family of origin, including in relation to the religious or moral beliefs of a prospective adoptive or foster parent, when determining the most appropriate placement for that child. Additionally, this amendment must be read in harmony with the duty of the department to make placements consistent with the best interests of the child.



Public Chapter: PC677.pdf  
Effective Date: 07/01/24

## HEALTH CARE

### SB2151/HB2861

Sponsors:

Summary:

#### Report on immunization rates of children by county.

Sen. Johnson, Jack , Rep. Carringer, Michele

(1) Prohibit a healthcare provider from (i) coercing a person to receive a vaccination; (ii) misleading or misrepresenting that a vaccination is required by state law, when state law provides a person with an exemption; or (iii) misleading or misrepresenting that a newborn screening test is required by state law, when state law does not require such screening without providing a person with an exemption to such requirement; (2) Establish that a violation of the bill section is an unlawful practice and is grounds for the offending healthcare provider's licensing authority to suspend, revoke, or refuse to renew the healthcare provider's license or take other disciplinary action allowed by law; and (3) If the licensing authority of a healthcare provider receives information of a violation or potential violation of the bill by the healthcare provider, require the licensing authority to conduct an immediate investigation and take appropriate disciplinary action. House amendment 1 (017149) makes the following changes: (1) Defines, for purposes of the bill, "coerce" to mean to compel a person to act by force, intimidation, or threat; (2) Revises the definition of a "vaccination," for purposes of the bill, to mean the act of introducing a vaccine into the body of a child under two years of age; and (3) Revises the provision that prohibits a healthcare provider from (i) coercing a person to receive a vaccination; (ii) misleading or misrepresenting that a vaccination is required by state law, when state law provides a person with an exemption; or (iii) misleading or misrepresenting that a newborn screening test is required by state law, when state law does not require such screening without providing an exemption to such requirement.

Public Chapter: PC1043.pdf  
Effective Date: 07/01/24

## JUDICIARY

### SB2677/HB2865

Sponsors:

#### Report on the status of veterans treatment court program grant funds.

Sen. White, Dawn , Rep. Baum, Charlie

*Summary:*

Through the department of mental health and substance abuse services, present law authorizes a court exercising criminal jurisdiction within this state or a veterans treatment court program to apply for veterans treatment court program grant funds, if funds are available, to (i) fund a full-time or part-time program director position; (ii) fund veterans treatment court program staff whose job duties are directly related to program operations; (iii) fund substance abuse treatment, mental health treatment, and other direct services for veterans treatment court program participants; (iv) fund drug testing; (v) fund program costs directly related to program operations; and (vi) implement or continue veterans treatment court program operations. This amendment revises the present law and, instead, authorizes a court exercising criminal jurisdiction within this state or an existing veterans treatment court program created by a court exercising criminal jurisdiction to apply for veterans treatment court program grant funds. If the department of mental health and substance abuse services determines that the court is able to administer a veterans treatment court program, then the department must award the court grant money to fund a veterans treatment court program. If the department determines that a court is able to administer a veterans treatment court program and grant money is awarded pursuant to this amendment, then the county in which the court operates must provide a courtroom and a judge for the veterans treatment court program and all necessary supplies and equipment for the maintenance of the court, and must defray the expenses thereof from the general fund of the county. Funds allocated pursuant to this amendment may be used for the reasons in (i)-(vi) above.

*Public Chapter:*

PC897.pdf

*Effective Date:*

07/01/24

**WELFARE**

**SB2066/HB1969**

**Installation of carbon monoxide alarms in childcare agencies.**

*Sponsors:*

Sen. Bailey, Paul , Rep. Jernigan, Darren

*Summary:*

Requires installation of carbon monoxide alarms in each room of a childcare agency where care is provided to a child. Requires the alarms to meet certain national certification standards and be installed in accordance with national fire safety recommendations or manufacturer instructions. Establishes dates by which the alarms must be installed in new and existing childcare agencies.

*Amendment Summary:*

Senate amendment 1 (014029) makes the following changes to the bill: (1) Removes the definition of an "approved carbon monoxide alarm" ("alarm"); (2) Removes the requirement that the alarm be installed in accordance with either the standards of the National Fire Protection Association or the manufacturer's directions, unless the standards or directions conflict with applicable law; (3) Requires the alarm to be listed according to the International Building Code and

International Fire Code for the purpose of carbon monoxide detection; (4) Adds the penalty for a violation of the bill, which is a Class C misdemeanor and clarifies that each day on which a violation continues constitutes a separate offense. (5) Removes the requirement that a child care agency in operation on July 1, 2024, have alarms installed no later than September 30, 2024; (6) Removes the requirement that a child care agency that begins operating on or after July 1, 2024, have alarms installed prior to the first day that child care is provided to children on the premises of the agency; and (7) Authorizes the state fire marshal to promulgate rules to effectuate the bill.

*Public Chapter:*

PC733.pdf

*Effective Date:*

04/04/24, 07/01/24

**SB1692/HB1731**

**MOTION Act**

*Sponsors:*

Sen. Johnson, Jack, Rep. McCalmon, Jake

*Summary:*

Enacts the "Modernization of Towing, Immobilization, and Oversight Normalization Act."

*Public Chapter:*

PC1017.pdf

*Effective Date:*

07/01/24