

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 855 - SB 921**

March 3, 2023

**SUMMARY OF BILL:** Expands the definition of abandonment to include a period of four consecutive months, preceding a supplemental pleading to terminate parent or guardian rights, that the parent or guardian has failed to support the child. Clarifies that the putative father registry must be consulted within 10 working days prior to the filing of a petition to terminate parental rights. Requires the response of an inquiry into a putative father registry in another state to be provided prior to the finalization of an adoption unless waived by the court. Requires guardian ad litem to be appointed to give or withhold consent of a child for adoption if that child is mentally disabled and 14 years of age or older. Prohibits any order from being entered that requires visitation of any related person to the adoptive child after a final order of adoption is finalized. Changes the definition of specific brutality, abuse, or neglect towards a child to be based upon the opinion of just one qualified expert. Removes the requirement for a father to waive their parental rights prior to an adoption proceeding based solely on them being the biological father. Expands the definition of severe sexual child abuse to mean any offense in another state that is substantially similar.

**FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- The changes in definitions will not have a substantive impact on the programs and proceedings within the Department of Children's Services or the courts.
- The requirements pertaining to the putative father registry that are created within the proposed legislation will not have a significant impact to state or local government.
- Currently, if a child is mentally disabled, the court is required to appoint a guardian ad litem to give or withhold consent for the child to the adoption. The proposed legislation revises the requirement so that such an appointment is only required if the child is 14 years of age or older. Any impact on the court system is estimated to be not significant.
- Requiring only one opinion of a qualified expert to show specific brutality, abuse, or neglect, instead of more than one, will not result in any significant savings to the state.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/cd