

HOUSE BILL 38

By Gillespie

AN ACT to amend Tennessee Code Annotated, Title 37,
relative to delinquent acts.

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

SECTION 1. Tennessee Code Annotated, Section 37-1-131(b)(1)(B), is amended by deleting the subdivision and substituting:

(i) If the child is found to be delinquent for a second delinquent act, the court may enter an order of restitution against the parent, legal custodian, or guardian who had custody of the child at the time of the act for the expenses incurred by any law enforcement agency in responding to and investigating the delinquent act.

(ii) If the child is found to be delinquent for a third or subsequent delinquent act, the court shall enter an order of restitution against the parent, legal custodian, or guardian who had custody of the child at the time of the act for the expenses incurred by any law enforcement agency in responding to and investigating the delinquent act.

(iii) A restitution order entered under this subdivision (b)(1)(B) must be no less than two hundred fifty dollars (\$250), if the act committed by the child would be a misdemeanor if committed by an adult, or no less than five hundred dollars (\$500), if the act committed by the child would be a felony if committed by an adult. A restitution order entered under this subdivision (b)(1)(B) must not exceed one thousand dollars (\$1,000). If the court finds that the child's parent, legal custodian, or guardian is indigent and waives restitution under this subdivision (b)(1)(B), then the court must order the child's parent, legal custodian, or guardian to perform community service work in lieu of the restitution.

SECTION 2. This act takes effect July 1, 2025, the public welfare requiring it.