

HOUSE BILL 797

By Vaughan

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

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

SECTION 1. Tennessee Code Annotated, Title 37, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) As used in this section, "approved detention facility" means a detention facility used for detention of juveniles, including a detention home or center for delinquent children that is under the control, direction, or supervision of the court or other public authority or private agency approved by the court. Any such detention center and operator must be approved, certified, or licensed by the department of children's services, including a youth development center.

(b) In a county that has provided an approved detention facility to meet the needs for care of children under the jurisdiction of the juvenile court or detained by order of the juvenile court pending an investigation or hearing and disposition, the juvenile court is required to use and assume direct supervision, control, and direction of the approved detention facility as the primary detention facility for detention of juveniles under the court's jurisdiction or arrange with a licensed institution, agency, or the department of children's services to manage the facility or to receive temporary care and custody of children within the jurisdiction of the court.

(c) Consistent with the public purposes set forth in § 37-1-101, if a juvenile court conducts a child custody, detention, or adjudicatory proceeding, then the court must use for the proceeding a dedicated courtroom provided by the county that is closest in

proximity to the approved detention facility provided by the county, as long as the courtroom substantially complies with the administrative office of the courts' minimum courtroom security requirements. It is the purpose of this section to minimize the humiliation of a child in custody or detention from public exposure and the use of restraints that may occur from unnecessary vehicular transportation of the child. This section does not replace the provisions in the Tennessee Rules of Juvenile Procedure pertaining to confidentiality of proceedings and the use of contemporaneous audio-visual transmissions.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.