

HOUSE BILL 1104

By Shaw

AN ACT to amend Tennessee Code Annotated, Title 3 and Title 4, Chapter 29, relative to the commission on responsible fatherhood.

WHEREAS, the General Assembly recognizes the detrimental effects of fatherlessness and poor parenting on children. Fatherless children experience significantly higher instances of poverty, psychological problems, criminal activity, drug and alcohol abuse, violence, suicide, school drop-out, and teenage pregnancy; and

WHEREAS, the pervasive nature of these significant problems attributed directly to father absence creates an incentive to address this issue; and

WHEREAS, the purpose of the Commission on Responsible Fatherhood is to raise awareness of the problems created when a child grows up without the presence of a responsible father; to identify obstacles that impede or prevent the involvement of responsible fathers in the lives of their children; to promote awareness of the parenting skills needed by fathers to meet the needs of their children; to identify strategies that are successful in encouraging responsible fatherhood; and to promote the respect of women and men in the family; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Title 3, is amended by adding Sections 2 through 10 as a new chapter.

SECTION 2.

(a)

(1) Subject to the availability of adequate funding through grants and private contributions, and without use of state resources, there is created the

commission on responsible fatherhood. The operation of the commission is subject to adequate funding being secured through grants or private contributions, and state resources must not be utilized to fund the commission.

(2) The commission consists of seventeen (17) members, as follows:

(A) The speaker of the senate appoints three (3) senators, at least one (1) of whom is nominated by the members of the senate judiciary committee;

(B) The speaker of the senate appoints three (3) citizen members who are knowledgeable on fatherhood and family matters, and at least one (1) of whom is nominated from the Tennessee bar association, family law section. Each citizen member must reside in a different grand division;

(C) The speaker of the house of representatives appoints three (3) representatives of the house of representatives, at least one (1) of whom is nominated by the members of the children and family affairs subcommittee of the house of representatives;

(D) The speaker of the house of representatives appoints three (3) citizen members who are knowledgeable on fatherhood and family matters, and at least one (1) of whom is nominated by the Tennessee coalition to end domestic and sexual violence. Each citizen member must reside in a different grand division;

(E) The governor appoints three (3) citizen members who are from at least one (1) of the following:

(i) A faith community;

(ii) Child mental health expert with a doctorate degree; or

(iii) The Tennessee dads against discrimination organization;

(F) The commissioners of human services and children's services shall jointly appoint one (1) member who represents the department of human services and the department of children's services; and

(G) The administrative office of the courts appoints one (1) judge.

(3) Appointing authorities must appoint to the commission within thirty (30) days of the effective date of this act.

(4) Each legislative member appointed to the commission continues to serve on the commission for the duration of the commission's existence for as long as the member continues to serve as a member of the general assembly.

(5) A vacancy that occurs on the commission must be filled by the same appointing authority who appointed the vacant seat.

(b) The speaker of the senate calls the first meeting to order within sixty (60) days of the effective date of this act. The commission meets at least quarterly. Special meetings may be called by the chair or by three (3) members of the commission, upon delivery of written notice to each member of the commission.

(c) Members must be notified of the time and place of any regular or special meeting at least seven (7) days in advance of the meeting. Pursuant to title 8, chapter 44, part 1, the commission may conduct meetings that are open to the public by:

(1) Telephone conference calls with speaker phones; or

(2) Electronic conferencing.

(d) At the first regular meeting of the calendar year, the commission elects from the members a chair, vice chair, and three (3) representatives, one (1) from each of the three (3) grand divisions, who comprise the five-member executive committee to function

between quarterly meetings. The chair may call meetings of the executive committee. The executive committee shall carry out the matters delegated to the committee by the full commission.

(e) The majority of the members of the commission constitutes a quorum and the concurrence of a majority of those present and voting in any matter within the commission's duties is required for a determination of matters in accordance with this chapter.

(f) The commission shall conduct meetings using Robert's Rules of Order.

(g) Members of the commission receive reimbursement for expenses in attending meetings of the commission or any subcommittee of the commission in accordance with the comprehensive travel regulations promulgated by the department of finance and administration and approved by the attorney general and reporter, if there is available funding from grants and private contributions. State funds must not be used for such reimbursement.

SECTION 3. The commission on responsible fatherhood may:

(1) Create subcommittees as the commission deems necessary to carry out its functions;

(2) Conduct meetings and public hearings in Nashville and across the state as is necessary;

(3) Employ commission staff, subject to approval by both speakers;

(4) Enter into contracts for technical or professional services, subject to approval by both speakers; and

(5) Perform other duties as required by this chapter or as may be requested by joint resolution of the general assembly.

SECTION 4. The commission on responsible fatherhood shall publish an annual report by February 1 each year that summarizes the commission's activities, findings, recommendations, proposals, and expenditure of funds. The commission shall provide a copy of the annual report to each member of the general assembly.

SECTION 5. The commission on responsible fatherhood shall:

(1) Review current policies on fatherhood;

(2) Study the issues that jeopardize the father-child bond, including, but not limited to, such persistent, interdisciplinary problems as historically low expectations held of fathers in the context of nurturing and providing emotional support for the family; fathers who are absent from the home or voluntarily do not participate in their children's lives; fathers who have been involuntarily obstructed from participating in the lives of their children; the harmful effects on children of physical abuse, verbal abuse, and disrespect of a parent to another or to the children; fathers who are present in the home but who are disengaged from their children's lives; and the effects on children as a result of a father's absence, such as poverty, psychological problems, poor self-esteem, criminal activity, drug and alcohol abuse, violence, suicide, school drop-out, and teenage pregnancy;

(3) Define and establish the components, guidelines, and objectives of a comprehensive state policy to ensure and promote the present and future of the father-child bond to enable fathers to meet the needs of their children and promote respect of men and women in the family;

(4) Identify any Tennessee laws, regulations, programs, services, and budgetary priorities that conflict with the components, guidelines, and objectives of such comprehensive policies;

(5) Search for any interdepartmental gaps, inconsistencies, and inefficiencies in the implementation or attainment of such comprehensive policy;

(6) Identify any new laws, regulations, programs, services, and budgetary priorities which are needed to ensure and promote the present and future health of the father-child bond to enable fathers to meet the needs of their children and promote respect of men and women in the family;

(7) Serve as an in-house informational resource for the general assembly on legislative policy matters pertaining to parenting issues;

(8) Perform other activities that are reasonably related to the legislative intent of this part, including, but not limited to, improving public awareness of problems caused by father absence, poor parenting skills, and the importance of respect in the family;

(9) Compile available information regarding the effects of the absence of a responsible father from children's lives;

(10) Identify barriers of responsible fatherhood and make recommendations to eliminate those barriers;

(11) Identify successful strategies that encourage responsible fatherhood and recommend and promote those which should be recognized, expanded, or replicated;

(12) Identify how existing state and community resources can be used to encourage responsible fatherhood;

(13) Identify strategies to meet the needs of children and families when a responsible father is not available for a family;

(14) Work in cooperation with local community-based prenatal and infant health care coalitions to advise these coalitions on their implementation of plans to increase the participation of responsible fathers in families; and

(15) Support a statewide symposium on the issue of responsible fatherhood.

SECTION 6. The commission on responsible fatherhood is guided by the following principles:

(1) The areas where responsible fathering appear to break down should be addressed. Men should be encouraged to be responsible fathers, to be full partners in parenting their children, and to respect their partners as fully equal;

(2) Peer support networks for fathers are an essential part of any successful strategy to connect or reconnect responsible fathers to their children;

(3) Mothers have a crucial role in promoting and supporting the involvement of responsible fathers in the lives of their children, and that role must not be overlooked or diminished;

(4) The emotional and developmental needs of children should be paramount;

(5) Family violence, including verbal and emotional abuse, neglect, and other harmful behavior, must not be tolerated;

(6) Special attention should be focused on educating males and females prior to parenthood regarding responsible parenting, particularly the important role fathers and mothers play and the needs of their children; and

(7) Stability and adequate financial support are important to the well-being of children.

SECTION 7. The commission on responsible fatherhood may apply for grants, including federal grants, and accept private contributions.

SECTION 8. The conflict of interest provision of § 12-4-114 applies to members of the commission.

SECTION 9. The commission is attached to the department of state for all administrative matters relating to receipts, disbursements, expense accounts, budget, audit, and other related items.

SECTION 10. Upon completion of the duties assigned by this chapter, the commission on responsible fatherhood shall prepare and publish a final report. The commission shall distribute the final report to each member of the general assembly. The commission shall complete the assigned duties as soon as reasonably practicable, but no later than February 1, 2027, at which time this chapter is repealed and the commission ceases to exist.

SECTION 11. This act takes effect upon becoming a law, the public welfare requiring it.