

HOUSE BILL 1195

By Butt

AN ACT to amend Tennessee Code Annotated, Title 37 and Title 39, Chapter 15, Part 4, relative to reunification of families during criminal investigations.

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 language as a new section:

If law enforcement is investigating a parent or legal guardian based on a good faith allegation or a reasonable belief supported by facts that the parent's child is a victim of child abuse, as defined in § 39-15-401 or § 39-15-402, or child sexual abuse, as defined in § 37-1-602, then the department of children's services shall not institute, or recommend instituting, reunification proceedings between the parent or legal guardian and the child until:

- (1) Written approval is obtained by the district attorney general of the appropriate judicial district wherein the alleged abuse occurred;
- (2) The investigation is closed by the law enforcement agency; and
- (3) It is determined by a court of competent jurisdiction that reunification of the parent or legal guardian and child is in the child's best interests.

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