

HOUSE BILL 2895

By Jones S

AN ACT to amend Tennessee Code Annotated, Title 36;
Title 37; Title 39 and Title 40, relative to the best
interests of children.

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

SECTION 1. Tennessee Code Annotated, Section 37-1-102, is amended by adding the following as a new subdivision thereto:

() "Best interest of the child" means that a decision is made after evaluation of all relevant factors, including, but not limited to, the following:

- (A) The child's current physical and emotional safety and welfare;
- (B) The child's future physical and emotional needs to the extent that those needs can be ascertained based on the child's present condition;
- (C) The child's intellectual and moral welfare;
- (D) The child's educational needs;
- (E) The length of time that a child has lived in a stable, satisfactory environment and the desirability of maintaining continuity;
- (F) The child's need for any type of treatment or rehabilitation;
- (G) The parent or parental substitute's ability to provide for and foster the child's needs under subdivisions () (A)-(F);
- (H) The child's emotional ties to the child's parent or parents, siblings, and other relatives;
- (I) The child's emotional ties to a parental substitute or the child's ability to develop a relationship with a parental substitute;

(J) The recommendations for the child provided by the child's guardian ad litem or legal representative; and

(K) The reasonable preferences of the child, if the court deems the child to be of sufficient age to express a preference.

SECTION 2. Tennessee Code Annotated, Section 37-1-602, is amended by adding the following as a new, appropriately designated subdivision:

() "Best interest of the child" is as defined under § 37-1-102.

SECTION 3. Tennessee Code Annotated, Section 37-2-402, is amended by adding the following as a new, appropriately designated subdivision:

() "Best interest of the child" is as defined under § 37-1-102.

SECTION 4. Tennessee Code Annotated, Section 37-5-103, is amended by adding the following as a new, appropriately designated subdivision:

() "Best interest of the child" is as defined under § 37-1-102.

SECTION 5. This act shall take effect July 1, 2012, the public welfare requiring it.