

SENATE BILL 35

By Marrero B

AN ACT to amend Tennessee Code Annotated, Title 29,
Chapter 8, Part 1, relative to name changes.

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

SECTION 1. Tennessee Code Annotated, Section 29-8-101(b), is amended by deleting subdivision (2) and substituting instead the following language:

(2) If the court has reason to believe that the petition is being made to defraud or mislead, is not being made in good faith, will cause injury to an individual, or to compromise public safety, then the petition shall be denied.

(3) If the person seeking to have such person's name changed has a felony conviction, other than for those offenses enumerated in subdivision (1) of this subsection, then the petition is presumed to be made in bad faith, to defraud or mislead, to cause injury to an individual, or to compromise public safety. The name change shall not be granted unless the individual requesting the name change proves by clear and convincing evidence that the petition is not based upon an intent to defraud or mislead, is made in good faith, will not cause injury to an individual, and will not compromise public safety.

(4) The provisions of this subsection shall not apply if the name change is the result of a lawful marriage, marital dissolution or adoption.

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it.