



# State of Tennessee

## PUBLIC CHAPTER NO. 613

### SENATE BILL NO. 1656

By Stevens, Harris

Substituted for: House Bill No. 1849

By Moody, Ragan, Hardaway, Terry

AN ACT to amend Tennessee Code Annotated, Section 10-7-504 and Section 36-3-623, relative to confidentiality of records of shelters, centers, and human trafficking service providers.

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

SECTION 1. Tennessee Code Annotated, Section 36-3-623, is amended by deleting the section and substituting the following:

(a) The records of domestic violence shelters, rape crisis centers, and human trafficking service providers shall be treated as confidential by the records custodian of such shelters, centers, or providers unless:

- (1) The individual to whom the records pertain authorizes their release; or
- (2) A court approves a subpoena for the records, subject to such restrictions as the court may impose, including in camera review.

(b) As used in this section, "human trafficking service providers" means agencies or groups that are incorporated as a not-for-profit organization for at least six (6) months, are tax-exempt under § 501 of the Internal Revenue Code, codified in 26 U.S.C. § 501, and that have provided services to victims of human trafficking.

SECTION 2. Tennessee Code Annotated, Section 10-7-504, is amended by deleting subdivision (a)(15)(A)(ii)(g) and substituting instead the following:

(g) An affidavit from the director of a rape crisis center, domestic violence shelter, or human trafficking service provider, as defined in § 36-3-623, certifying that an individual is a victim in need of protection; provided, that such affidavit is on a standardized form to be developed and distributed to such centers, shelters, and providers by the Tennessee task force against domestic violence; and

SECTION 3. Tennessee Code Annotated, Section 10-7-504, is amended by deleting subdivision (a)(17) and substituting instead the following:

(17) The telephone number, address, and any other information which could be used to locate the whereabouts of a domestic violence shelter, family safety center, rape crisis center, or human trafficking service provider, as defined in § 36-3-623, may be treated as confidential by a governmental entity, and shall be treated as confidential by a utility service provider, as defined in subdivision (a)(15), upon the director of the shelter, family safety center, crisis center, or human trafficking service provider giving written notice to the records custodian of the appropriate entity or utility that such shelter, family safety center, crisis center, or human trafficking service provider desires that such identifying information be maintained as confidential. The records of family safety centers shall be treated as confidential in the same manner as the records of domestic violence shelters pursuant to § 36-3-623.

SECTION 4. This act shall take effect July 1, 2018, the public welfare requiring it.

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PASSED: March 19, 2018

  
RANDY McNALLY  
SPEAKER OF THE SENATE

  
BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 2<sup>nd</sup> day of April 2018

  
BILL HASLAM, GOVERNOR