

SENATE BILL 2135

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 3;
Title 4, Chapter 29 and Title 37, relative to
oversight of the department of children's services.

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

SECTION 1. Tennessee Code Annotated, Title 37, Chapter 10, is amended by adding the following as a new part:

37-10-601.

(a) There is created the department of children's services oversight committee. The committee shall consist of eighteen (18) members. Nine (9) senators shall be appointed by the speaker of the senate. Nine (9) representatives shall be appointed by the speaker of the house of representatives. Each member appointed shall have a desire to serve on the committee and be committed to improving the lives of Tennessee's children by putting the best interest of each child as the first reason to serve. During the organizational session of each general assembly, the respective speakers shall reappoint or appoint members to serve on the committee. Any vacancies occurring on the committee, between organizational sessions, shall be filled by the respective speakers in accordance with the guidelines established in this subsection (a).

(b)

(1) The oversight committee shall meet at least eight (8) times per year and at the call of the chair. Members of the oversight committee shall be entitled to reimbursement for their expenses in attending

meetings of the committee or any subcommittee thereof at the same rates and in the same manner as when attending the general assembly.

(2) The committee shall elect from its membership a chair, a vice chair, and such other officers as it deems necessary.

37-10-602. The department of children's services oversight committee is authorized to:

(1) Create subcommittees related to its purposes;

(2) Request standing committees of the general assembly, the fiscal review committee, and any agencies or entities of state government to study and report on designated policy matters relating to children and youth;

(3) Conduct such meetings and public hearings in Nashville and across the state as shall be necessary;

(4) Employ committee staff, including an executive director, subject to the availability of funding for such purpose. The executive director shall have social services experience and child welfare experience and should have experience serving in a position similar to that of an executive director;

(5) Enter into contracts for technical or professional services, subject to the availability of funding for such purpose; provided the speaker of the senate and the speaker of the house of representatives shall jointly:

(A) Determine the qualifications and task or job descriptions of any consultant or other person contracted for services; and

(B) Select any such consultant or other person on behalf of the committee;

(6) Promote interagency cooperation and policy continuity with respect to state initiatives to benefit children and youth;

(7) Undertake appropriate actions to inform state and local officials, and the public at large, of innovative and effective model programs for children, youth, and their families; and

(8) Perform other duties as requested by joint resolution of the general assembly.

37-10-603. The department of children's services oversight committee shall timely publish a report following the conclusion of any regular annual session of the general assembly occurring in an even-numbered year, which summarizes the committee's activities, findings, recommendations, and proposals. A copy of the annual report shall be distributed to each member of the general assembly.

37-10-604. It is the duty of the department of children's services oversight committee to:

(1) Review current state policies on children and youth as reflected by Tennessee statutes, rules, programs, services, and budgetary priorities;

(2) Provide oversight;

(3) Study the many problems that jeopardize the development and well-being of Tennessee children and youth, including, but not limited to, such persistent, interdisciplinary problems as teen pregnancy, educational underachievement, youth employment, alcohol and drug abuse, delinquency, emotional illness, birth defects, day care, homelessness, child abuse, the growing impoverishment of children and adolescents, child sexual abuse, and human trafficking of minors;

(4) Define and establish the components, guidelines, and objectives of a comprehensive state policy to ensure and promote present and future health, welfare, and opportunity for all of Tennessee's children and youth;

(5) Identify any Tennessee laws, rules, programs, services, and budgetary priorities that conflict with the components, guidelines, and objectives

of a comprehensive state policy to ensure and promote present and future health, welfare, and opportunity for all of Tennessee's children and youth;

(6) Search for any interdepartmental gaps, inconsistencies, and inefficiencies in the implementation or attainment of a comprehensive state policy to ensure and promote present and future health, welfare, and opportunity for all of Tennessee's children and youth;

(7) Identify any new laws, rules, programs, services, and budgetary priorities that are needed to ensure and promote present and future health; including physical, mental, and emotional health; welfare; and opportunity for all of the state's children and youth;

(8) Serve as an in-house informational resource for all members and committees of the general assembly on legislative policy matters concerning children and youth; and

(9) Perform such other activities as are reasonably related to the legislative intent of this part, including, but not limited to, improving public awareness of the special needs of Tennessee's children and youth.

37-10-605.

(a) The commissioner of education shall report at least twice each year to a meeting of the oversight committee concerning the performance of duties and responsibilities assigned by this part and § 49-1-520 concerning funding recommendations.

(b) The commissioner of children's services shall report at least three (3) times each year, and may be called upon by the committee or subcommittee thereof, concerning the performance of duties and responsibilities assigned by law to the department of children's services.

37-10-606. In view of the continuing need for legislative oversight of programs and services for children and their families, emphasized by recent concerns regarding the foster care program and the child protective services system, the department of children's services oversight committee shall continue to perform legislative oversight as provided in this part, notwithstanding any other law to the contrary. This section shall not prohibit or restrict the appropriate review, inquiry, or oversight of the department of children's services by any other standing, special, or statutory committee of the general assembly.

37-10-607. The general assembly declares an urgent need to thoroughly study all relevant issues pertaining to the child protective services system. The department of children's services oversight committee shall study the effectiveness of the child protective services system in this state and develop recommendations for its improvement. The oversight committee is authorized to obtain consultation and receive advice in this effort.

SECTION 2. This act shall take effect upon becoming a law for purposes of making appointments, the public welfare requiring it. This act shall take effect July 1, 2018, for all other purposes, the public welfare requiring it.