



State of Tennessee

PUBLIC CHAPTER NO. 383

SENATE BILL NO. 649

By Haile, Briggs; Mr. Speaker McNally; Johnson, Stevens, Swann, Jackson, Lundberg, Bowling, Massey, Yarbro, Gilmore, Southerland, Yager, White

Substituted for: House Bill No. 1047

By White, Littleton, Hardaway

AN ACT to amend Tennessee Code Annotated, Title 16; Title 36; Title 37 and Chapter 366 of the Public Acts of 2017, relative to courts.

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

SECTION 1. Tennessee Code Annotated, Section 37-1-902(b)(6), is amended by adding the following language to the end of the subdivision:

It is the intent of the general assembly that in appropriate circumstances vetted, trained, and approved safe baby court volunteers be utilized to the fullest extent possible.

SECTION 2. Tennessee Code Annotated, Section 37-1-902(c), is amended by deleting the subsection and substituting instead the following:

(c) As used in this part, "zero to three court program" and "safe baby court" means any court program created within this state that seeks to accomplish the goals stated in subsection (b) and that is established by a judge with jurisdiction over juvenile court matters. Except as provided in Section 6, a safe baby court has the same powers as the court that created it.

SECTION 3. Tennessee Code Annotated, Section 37-1-903(a), is amended by designating the existing language as subdivision (a)(1) and adding the following language as a new subdivision (a)(2):

(2) On January 1, 2020, there are established five (5) safe baby courts throughout this state. These courts are in addition to other zero to three court programs and safe baby courts established in this state prior to the effective date of this act. The establishment of additional safe baby courts is authorized as funding permits.

SECTION 4. Tennessee Code Annotated, Section 37-1-903, is amended by deleting subsection (b) and substituting instead the following:

(b)(1) The administrative office of the courts, in consultation with the department of children's services, the department of mental health and substance abuse services, and the council of juvenile and family court judges, shall determine the location of each program.

(2) The department of children's services, in consultation with the administrative office of the courts, the department of mental health and substance abuse services, and the council of juvenile and family court judges shall establish at least one (1) program within each of the three (3) grand divisions and shall seek to serve both rural and urban populations.

(3) The administrative office of the courts, the council of juvenile and family court judges, the department of children's services, and the department of mental health and substance abuse services are authorized to collaborate for the purpose of developing a strategy for safe baby court programs to expand services into adjacent counties where the judges of the juvenile courts of each county agree to share

resources and the department of children's services has the staffing and resource capacity to provide coverage of safe baby courts in the adjacent counties.

SECTION 5. Tennessee Code Annotated, Section 37-1-903(c)(2), is amended by deleting the subdivision in its entirety and substituting instead:

(2) Collecting and compiling safe baby court program data, including annual reports from each zero to three court program and safe baby court. The department of children's services shall create and disseminate an annual report to the director of the administrative office of the courts, the commissioner of the department of mental health and substance abuse services, the council of juvenile and family court judges, and the chairs of the judiciary committees of the house of representatives and the senate. The annual report must summarize the results of the programs' operations during the previous calendar year, including data on outcomes achieved in safe baby courts compared to the outcomes achieved by other courts exercising similar jurisdiction, any cost savings associated with the achievement of the goals stated in § 37-1-902, and program feedback from safe baby court judges. Each zero to three court program and safe baby court established on or before January 1, 2018, shall submit program data and an annual report as described in this subdivision (c)(2) to the department of children's services, the department of mental health and substance abuse services, the administrative office of the courts, and the council of juvenile and family court judges by February 1 of each year. Each safe baby court established on January 1, 2020, shall submit program data and an annual report as described in this subdivision (c)(2) to the department of children's services, the department of mental health and substance abuse services, the administrative office of the courts, and the council of juvenile and family court judges by February 1, 2021, and each following February 1;

SECTION 6. Tennessee Code Annotated, Title 37, Chapter 1, Part 9, is amended by adding the following new section:

A juvenile court matter that meets the safe baby court program criteria may be referred to a safe baby court program at any time during the pendency of the proceeding. If a matter is transferred to a safe baby court program, any permanency plan already in place must be scheduled for a review hearing by the court within thirty (30) days of the transfer to safe baby court.

SECTION 7. Tennessee Code Annotated, Title 37, Chapter 1, Part 9, is amended by adding the following new section:

This part does not preclude the ability of a safe baby court to apply for and receive matching monetary grants in addition to funds allotted to safe baby court programs from the department of children's services, the department of mental health and substance abuse services, and the administrative office of the courts.

SECTION 8. Tennessee Code Annotated, Title 37, Chapter 1, Part 9, is amended by adding the following new section:

A party's participation in a safe baby court program may be terminated at the discretion of the court if the party fails to comply with the program requirements.

SECTION 9. Tennessee Code Annotated, Title 37, Chapter 1, Part 9, is amended by adding the following new section:

To assist in the development of rules and regulations and to ensure that the views of the safe baby court community are appropriately communicated to the commissioner of children's services, the director of the administrative office of the courts, and the commissioner of mental health and substance abuse services, there is created a safe baby court advisory committee. The committee members shall be named by the director of the administrative office of the courts, the commissioner of children's services, and the commissioner of mental health and substance abuse services. The commissioner of children's services will chair the committee. The committee shall strive to develop non-regulatory strategies to address issues related to the operation of safe baby courts and to facilitate necessary changes. The members of the committee serve as volunteers and shall not be paid or reimbursed for time served as committee members.

SECTION 10. Section 2 of Chapter 366 of the Public Acts of 2017, is amended by deleting the language ", and shall cease to be effective January 1, 2022".

SECTION 11. Tennessee Code Annotated, Title 37, Chapter 1, Part 9, is amended by adding the following language as a new, appropriately designated section:

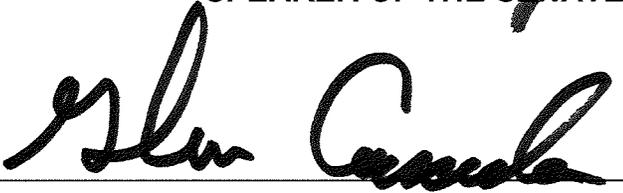
This part is deleted on January 1, 2025, and is no longer effective on or after such date.

SECTION 12. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: April 30, 2019


RANDY McNALLY
SPEAKER OF THE SENATE


GLEN CASADA, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 10th day of May 2019


BILL LEE, GOVERNOR