



State of Tennessee

PUBLIC CHAPTER NO. 398

SENATE BILL NO. 1359

By Yager, Bowling

Substituted for: House Bill No. 917

By Keisling, Littleton, Curcio, Sherrell, Eldridge, Garrett, Griffey, Thompson, Towns, Holsclaw, Helton, Freeman, Dixie, Hazlewood

AN ACT to amend Tennessee Code Annotated, Title 37; Title 39 and Title 49, relative to education of children during an investigation.

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 30, is amended by adding the following language as a new section:

(a) As used in this section, "investigating agency" means the department of children's services or a law enforcement agency that is conducting a child abuse or child neglect investigation.

(b) A parent, guardian, or other legal custodian required to cause a child to attend school in accordance with § 49-6-3001 shall not withdraw, transfer, or in any way alter a child's current enrollment in school with intent to hinder an active child abuse or child neglect investigation.

(c) It is a defense to prosecution for an offense under this section that the parent, guardian, or legal custodian received written confirmation from the investigating agency that the investigating agency has been notified of the child's change in enrollment and has confirmed that the change in enrollment would not hinder the agency's investigation.

(d) An investigating agency conducting a child abuse or child neglect investigation that receives a written notification of intent to withdraw, transfer, or alter a child's enrollment in school must respond to the request within forty-eight (48) hours.

(e) A violation of subsection (b) is a Class A misdemeanor.

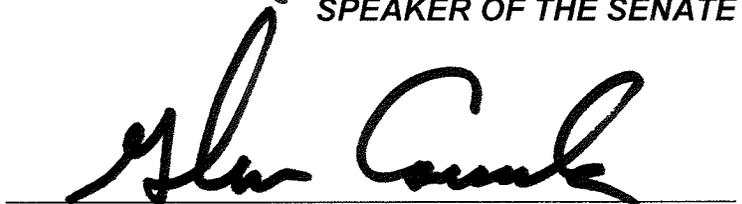
(f) A violation of subsection (b) is a Class E felony if the parent, guardian, or legal custodian takes the child out of state.

SECTION 2. This act shall take effect July 1, 2019, 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