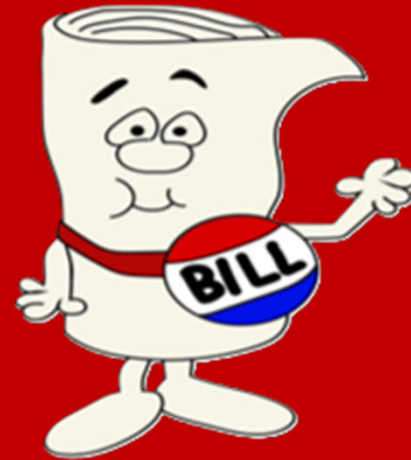


Juvenile Law Update: 2025 Legislative Session

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114th General Assembly

- The Session began immediately following the conclusion of the third Extraordinary Session (Special Session) called by Gov. Bill Lee to address the Education Freedom Act, immigration, disaster relief, and transportation.
- First half of the of the 114th General Assembly adjourned April 22nd, 2025.
- Focus included:
 - passing a \$59.8 billion balanced budget
 - funding for disaster relief
 - immigration reforms
 - new transportation funding
 - public safety and criminal justice reform
 - strengthening of protections around AI generated images
 - elimination of DEI programs and practices



Part I

Dependency and Neglect



Poverty Is Not Neglect

PC322:

- Clarifies that, for purposes of laws relative to juvenile courts and proceedings, "neglect" does not exist solely on the basis of economic disadvantage.
- Effective date: 7/01/2025



Witnessing Child Abuse and Reporting DV

PC398:

- Expands definition of child abuse to include any youth under the age of 18 witnessing abuse of family or household member.
- Bars reunification with a parent whose child was removed due to abuse unless parent makes progress to address abuse as set out in permanency plan and child's mental health needs are addressed.
- DCS required to report annually on number of children removed due to DV allegations to legislature and outcomes in domestic abuse cases.
- Effective date: 5/05/2025



Safe Haven Law Time Limits



PC420:

- Increases the days from 14 to 45 days that a facility may receive possession of an unharmed newborn infant under the Safe Haven Law without the mother being charged criminally.
- Effective date: 5/09/2025



Extension of Foster Care Services Update

PC333:

- Expands the age of availability to the Extension of Foster Care (EFC) program from 21 to 23 for:
 - ✓ young adults who were in the custody of DCS at the time of the young adult's 18th birthday
 - ✓ young adults who were adopted from, or approved for subsidized permanent guardianship by DCS, at 16 or older.
- Effective date: 7/01/2025



Forensic Interview Admissibility

PC162:

- All admissibility of video of forensic interviews if interviewer or child testifies recording is a true and correct recording of the events contained in video and child is available for cross.
- Allows forensic interviews conducted by an interviewer:
 - employed by a federal agency
 - employed by CAC with an arrangement in place with DCS and any District Attorney General
- Effective date: 4/11/2025



Foster Child Bill of Rights

PC387:

- Any foster child in DCS custody or contract agency has right to:
 - 1) go to school and receive an education that fits child's age and individual needs;
 - 2) benefit from appropriate care and treatment in the least restrictive setting;
 - 3) live in a safe and healthy environment;
 - 4) report any violation of personal rights without fear of retaliation;
 - 5) receive medical, dental, vision, and mental health services and be informed about diagnoses and treatment options; and
 - 6) be free from punishment in the form of restrictions on contact with an appointed GAL and attorney ad litem.
- DCS must:
 - train all employees on rights by February 1, 2026; new employees within 30 days of hire.
 - develop age-appropriate materials and explain rights within 30 days of children entering custody (annually at permanency hearing)
 - review materials and revise as necessary at least every 5 years
- Effective date: 7/01/2025



Abrial's Law: Keeping Children Safe from Family Violence Act (Extension)

PC265:

- Adds to list of factors to be considered by the court a parent's restriction of parenting time and the parent's failure to pay child support.
- Expands the definition of “abuse” to include indirect acts through third parties acting on behalf of the offender.
- Creates presumption that offending parent pays all fees for supervised visitation.
- Increased judicial training requirements from 10 to 15 hours.
- **Effective date: 7/01/2025**



Part II

Delinquency/Criminal Proceedings



Hemp-Derived Cannabinoid Products

PC077:

- Protects children from hemp-derived cannabinoid products, including THC gummies
- Creates minimum sentence of 48 consecutive hours in a county jail or workhouse and a fine of not less than \$500 for people convicted of knowingly selling or distributing the products to people under 21.
- Prohibits a retailer from knowingly allowing an employee younger than 21 to access, handle, or sell any product containing a hemp-derived cannabinoid on the premises of the retail establishment
- **Effective date: 7/01/2024**



Increase Penalty for Exposing Children to Fentanyl

PC499:

- Establishes a Class E felony for anyone who knowingly exposes a child to fentanyl.
- Elevates to a Class B felony if the child is under 8-years-old.
- Sets a 30-day minimum jail time for fentanyl and related opioid possession.
- Effective date: 7/01/2025



Suspension of Minor's DL for Bullying

PC292:

- Suspension of a minor's driving privileges for the offense of harassment by bullying
- Suspension would be for one year as part of the disposition if the minor is adjudicated delinquent for an offense that would constitute the act of a harassment by bullying or cyber-bullying.
- Effective date: 7/01/2025



Threat to Commit Mass Violence at School

PC522:

- Amends TCA, Title 39, Chapter 13, Part 8 and T.C.A., Title 39, Chapter 17, Part 3 to ***clarify intent***.
- ***Knowingly*** making a threats of mass violence by any communication is a Class E felony.
- Enhancement to a Class D felony if involving schools, worship events, government, or at a live performance or event or detailed planning.
- Allows court to order restitution for disruptions.
- ***Criminalizes doxing.***
- Effective date: 7/01/2025



Unlawful Exposure

PC432:

- Unlawful exposure is:
 - 1) distributing a private, intimate image of another identifiable person
 - 2) with intent to cause emotional distress
 - 3) regardless of whether the person who distributes the image was a party to the original agreement or understanding that the image would remain private.
- Effective date: 7/01/2025



Good Samaritan Law Expansion – Alcohol Overdose

PC231:

- Expands the immunity from prosecution for people seeking medical assistance for a person experiencing, or believed to be experiencing, an overdose to include alcohol-related offenses.
- Overdose includes incidents related to both drugs and alcohol.
- Includes underaged drinking and public intoxication.
- Effective date: 7/01/2025



Expansion of Machine Gun Definition

PC513:

- Expands the definition of machine gun to “any firearm that is capable of shooting more than 2 shots automatically, without manual reloading, by a single function of the trigger and includes any part, or combination of parts, designed and intended solely for use in converting a firearm into a machine gun”.
- Expands the offense of unlawful possession of a handgun to include possession of ammunition.
- Prohibits probation for a person convicted of aggravated assault involving the discharge of a firearm from within a motor vehicle and must serve 100% of the imposed sentence.
- Effective date: 7/01/2025



TN Protection of Children Against Sexual Exploitation Act

PC368:

- Enacts the "Tennessee Protection of Children Against Sexual Exploitation Act," which specifies that a provider of electronic services cannot notify the person using the service of a search warrant if they are suspected of sexual exploitation of a minor.
- Effective date: 5/05/2025



Increased Child Abuse Penalties

Child Abuse (PC472):

Increases the penalty from a Class A misdemeanor to a Class E felony for a person who commits child abuse by knowingly treating a child between the ages of 9 and 17 in such a manner as to inflict injury.

Effective date: 7/01/2025

Aggravated Sexual Battery (PC375):

Increases the penalty for aggravated sexual battery from a Class B felony to a Class A felony if the victim was less than 18 years of age or was mentally defective, mentally incapacitated, or physically helpless.

Effective date: 7/01/2025



TBI Report on DUI Arrests

PC327:

- Requires TBI to report DUI arrests where no intoxicants are detected, annually through 2029
- Requires the inclusion of the law enforcement agency that made the arrest.
- Effective date: 5/02/2025

You can be charged with DUI even if you're sober, WSMV 4 Investigates reveals

WSMV4 Investigates uncovers backlog of alcohol and toxicology tests at TBI



DUI

Aggravated Vehicular Assault BAC Limit (PC430):

Lowers the threshold for what qualifies as aggravated vehicular assault or homicide from .20% BAC to .15% BAC.

Effective date: 7/01/2025

Implied Consent Violations (PC403):

Increases the amount of time a person's driver license must be revoked for a first offense of an implied consent violation, from 1 year to 1 year and 6 months. Increases, in 3-year increments, the time periods for which an individual convicted of a third or a fourth or subsequent offense of vehicular assault must be prohibited from driving a vehicle.

Effective date: 5/05/2025; 1/01/2026



Savanna's Law – Domestic Violence Registry

PC520:

- Creates registry of persistent domestic violence offenders to include photo, name, birthdate, and convictions (excludes addresses).
- TBI maintain registry based upon information supplied by court clerks and information available to the TBI from the Department of Correction and local law enforcement agencies.
- Registry available for public inquiry on the internet.



- Applies to persons convicted of domestic assault for an offense that was committed on or after January 1, 2026; however, a prior conviction is not required to occur on or after January 1, 2026.
- Effective date: 1/01/2026



Juvenile Court Records for Bond Determination

PC414:

- Allows prior juvenile court records, including the disposition and evidence, to be used in bond determinations if within past 5 years.
- Limits scope of use of specific pretrial and sentencing contexts.
- **Effective date: 5/09/2025**



Juvenile Court Dedicated Courtroom

PC254:

- Requires juvenile courts to use local approved detention facilities as primary holding sites.
- If facility includes a courtroom, proceedings must occur there to avoid public exposure.
- Allows for exceptions if alternate management agreements are in place.
- Effective date: 10/01/2025



TACIR Study of Housing/Treatment Facilities

PC418:

- Directs TACIR to study statewide:
 - Availability of housing and other treatment facilities for juvenile offenders who have been adjudicated delinquent and committed to DCS and
 - Availability of local juvenile detention centers and other facilities for the housing and treatment of juvenile offenders who have been detained by the juvenile court prior to an adjudicatory hearing.
- TACIR to report to the General Assembly by January 1, 2026.
- Effective date: 5/09/2025



TN Juvenile Justice Review Commission

PC281:

- Establishes commission to review recurring or critical juvenile cases in DCS custody.
- Review of ***critical incidents*** involving delinquent juveniles in the custody of the DCS' services.
- Commission reports findings to legislature annually beginning 2028.
- AOC “shall make data available to the commission”.
- Effective date: 4/24/2025



Part III
Civil Proceedings/
Family Law



Failure to Pay Child Support

PC321:

- Clarifies that the court may preclude or limit any provisions of a parenting plan if the court finds that a parent has failed to pay child support.
- Requires the court to consider **any** failure to pay child support, rather than failure for a period of 3 years or more, when making a child custody determination.
- Updates parenting responsibility standards and statutory references.
- Allows attorney's fees in grandparent visitation actions.
- Effective date: 5/02/2025



Token Financial Support by Biological Father

PC390:

- Clarifies that a biological father or alleged biological father that makes token financial support to or for the benefit of the child or the child's mother during the pregnancy or when the mother had physical custody of the child is not a putative father.
- Healthcare provider shall not provide a vaccination to a child unless the provider receives informed consent from the parent or guardian of the child.
- **Effective date: 5/05/2025**



Availability of Adoption Records



PC079:

- Lowers age for adopted persons to access records from 21 to 18.
- Authorizes adoptive parents, DCS, and prosecutors to access records in specific abuse and D&N cases.
- Permits access to identifying information if biological parent is deceased, including in rape/incest cases.
- **Effective date: 7/01/2025**



Single Adoption Petition



PC386:

- Allows for single adoption petition for siblings unless court order otherwise for best interest of the children.
- Limits filing fees to one for such a petition.
- Effective date: 5/05/2025



Families' Rights and Responsibilities Act

PC347:

- Authorizes:
 - School to require a parent to attend a meeting to discuss their child's educational future if their child is absent for 20 or more days during a school year for religious purposes
 - Government entity to make a video or voice recording of a child during an activity approved by the school related to academic instruction without first gaining parental consent if LEA received previous parental consent for recording their child during regular instructional hours or extracurricular activities as long as parental consent is obtained before such recording is published.
 - A person who acts reasonably to render appropriate, on-emergency first aid to a minor appear or representing to be sick or injured without first requesting parent authorization.
- Prohibits a civil action against a school counselor or school psychologist who provides preventative and developmental counseling without first receiving parental consent.
- **Effective date: 7/01/2025**



Part IV Education



Education Freedom Act of 2025

T.C.A. § 49-6-3501 et seq.

- Taxpayer funds for private school tuition
- \$7,295
- 20,000 scholarships or vouchers – 10,000 for anyone and 10,000 income based
- One-time bonus of \$2,000 to K-12 public school teachers for 24-25
- Designates 80% of sports wagering taxes to school construction and maintenance, with priority given to economically distressed counties and those affected by natural disasters.
- **Effective date: 2/12/2025 (sec. 5 and 6 – 7/01/2025)**



Search of Student Lockers/Vehicles

PC244:

- Allows only school resources officers acting as a school official to conduct a search of vehicles, lockers, storage containers, or other areas belonging to students or visitors.
- Requires a guardian to be notified and to consent to the search if the juvenile is under 18.
- Clarifies that a search under this section does not violate the 4th amendment.
- **Effective date: 7/01/2025**



Safe Haven Law Instruction

PC164:

- The Safe Haven Law (voluntary surrender of a baby) shall be taught to 9th through 12th graders as part of their family life curriculum.
- Requires the state board of education, with the assistance of the department of education, to develop guidelines for these instructions.
- Encourages the department of education to collaborate with A Secret Safe Place for Newborns of Tennessee, Inc, a nonprofit organization that specializes in Safe Haven laws, to develop education materials.
- Effective date: 4/11/2025



Teen Social Media and Internet Safety Act

PC195:

- Requires TN DOE to develop curriculum about social media and internet safety for 6th through 12th graders
- Requires LEAs and public charter schools to instruct such students using the curriculum developed by the department.
- Effective date: 4/11/2025; 7/01/2025



Wireless Communication Devices During School



PC103:

- Requires school districts to develop a policy that prohibits a student from using a wireless communication device during instructional time.
- Exceptions for emergency event or if included in student's IEP under IDEA.
- Effective date: 7/01/2025



Notification of IEP Meeting

PC199:

- Requires LEAs to notify parents or guardians of a student at least 10 days before the student's IEP meeting.
- Requires LEAs to provide a copy of all evaluations and assessments of a student conducted for purposes of the student's IEP and a copy of a student's draft IEP, unless previously declined, to the student's parent or guardian at least 48 hours prior to a scheduled IEP team meeting.
- **Effective date: 4/11/2025**



Educational Reporting on Custodial Students

PC235:

- Makes various changes to educational reporting requirements for students.
- Requires schools to enroll students in DCS custody even if there are issues with vaccination records.
- Effective date: 4/23/2025



Transfer Student Records

PC156:

- Requires LEAs to transfer a student's record, including the student's disciplinary record, to the school to which the student is transferring within three days of the transfer date.
- Effective date: 4/11/2025



Attendance Records in Educational Neglect Cases

PC133:

- In an educational neglect case, a subpoena may be issued for a student's attendance record.
- Includes all previous school years that the student attended a public school.
- Effective date: 7/01/2025



Part V

Miscellaneous



Juvenile Case Management System

PC179:

- Requires the AOC to provide a CJIS-compliant statewide juvenile case management system.
- All clerks are required to adopt and convert to the new juvenile case management system, phased-in on AOC schedule.
- Also, grants public access to juvenile delinquency court records and files involving school homicides if the offender is deceased.
- **Effective date: 4/11/2025**



AI

Preventing Deepfake Images (PC466):

Allows victims to sue and recover financial damages from a person who posts pictures of intimate digital depictions without consent. Creates a Class E felony offense “to disclose or threaten to disclose intimate digital depictions with the intent to harass, annoy, alarm or cause substantial harm to the finances or reputation of the depicted individual”.

Effective date: 7/01/2025

Unlawful Photography (PC474):

Enhances the penalty for unlawful photography from a Class A misdemeanor offense to a Class E felony. The penalty would increase further to a Class D felony or Class C felony in cases if the victim was under 13. Anyone convicted of unlawful photography would also be required to register as a sex offender.

Effective date: 7/01/2025



Human Smuggling

PC424:

- Creates 3 new offenses when a person knows or should have known another person is an illegal immigrant within TN
 - 1) human smuggling,
 - 2) harboring or hiding, or
 - 3) assisting another in harboring or hiding within an individual who the person knows or should have known is an illegal immigrants.
- Effective date: 7/01/2025



Pups in Court

PC167:

- Establishes procedures for the use of a certified court facility dog to accompany victims and witnesses during court proceedings for the purpose of reducing the stress of the witness and to enhance the ability of the court to obtain full and accurate testimony.



- Sets out qualifications for a “certified facility dog”.
- Must have proof of liability insurance in amount of at least \$500,000.
- Effective date: 4/11/2025



Children's Mental Health Report

PC397:

- Requires the Council on Children's Mental Health to submit a report on the statewide system of care in terms of children's mental health needs on or before June 30, 2026.
- Effective date: 3/28/2025



End Childhood Hunger Act

PC397:

- Requires DCS and all other agencies to work together on childhood hunger issues: “End Childhood Hunger Act”.
- They must report to the legislature on their plan and what progress has been made.
- Effective date: 5/05/2025



Protect TN Minors Act - Amended

PC405:

- Removes the definition of “content harmful to minors” from the Protect Tennessee Minors Act. T.C.A. § 39-17-912 (b)(5)
- Result of the federal case *Free Speech Coalition, Inc. v. Skrametti*, 2024, 2024 WL 5248104
- Effective date: 5/05/2024



Right to Bail – Constitutional Amendment

HJR89:

- Proposed Constitutional amendment to Article I, Section 15 of the Constitution of Tennessee to remove the right to bail for the following offenses when the proof is evident or the presumption great:
 - Capital offense
 - Act of terrorism
 - Second degree murder
 - Aggravated rape of a child
 - aggravated rape
 - Grave torture, and
 - Any other 100% sentence offense, as of November 3, 2026 (long list of violent crimes)
- Will be on the gubernatorial ballot in 2026.



250th Anniversary Celebrations (2026)

- Honoring America's Founding Principles: Life, Liberty, and the Pursuit of Happiness
- Begins in 2025
- June – “Celebration of Life” Month
- July – “Celebration of Liberty” Month
- August – “Pursuit of Happiness” Month



Part V Updates



2024 Abortion Trafficking Law Partial Ban

- 2024 law created the Class A misdemeanor of abortion trafficking of a minor for an adult who “**recruits**, harbors, or transports a pregnant unemancipated minor” for the purpose of 2024 getting an abortion without consent from the minor’s parents or guardians.
- July 18, 2025 ruling by Senior 6th Circuit Court of Appeals Judge Julia Gibbons, sitting as district judge by designation has permanently enjoined the “recruitment” portion of the law, calling it unconstitutional and vague.
 - The term “recruit” is not defined in state code, which opponents said could prove problematic for the First Amendment.
 - The Court agreed with the free speech concerns, stating that the recruitment portion of the law “prohibits speech encouraging lawful abortion while allowing speech discouraging lawful abortion.”
 - Her ruling explicitly defends that “public advocacy, information sharing and counseling,” which includes informing Tennessee residents — both adults and minors — where they can receive out of state abortions is protected speech. “Because abortion is generally illegal in Tennessee, the state may constitutionally punish speech made in direct furtherance of in-state abortions...The state may not, however, criminalize speech recruiting a minor to procure a legal abortion in another state,” she said. “Tennessee cannot criminalize ‘disseminating information about an activity that is legal in another state.’”



Gender-Affirming Healthcare Assistance Upheld

- US Supreme Court upheld TN's ban on gender-affirming care for minors in the case of *United States v. Skrmetti* concluding that T.C.A. § 68-33-103(a)(1) does not violate the Equal Protection Clause of the 14th Amendment of the US Constitution.
- The Court found:
 - The law “does not classify on any bases that warrant heightened review.” The law incorporates only two classifications: (1) age (allowing certain medical treatments for adults but not minors), and (2) medical use (allowing puberty blockers for minors for some conditions but not others). These two classifications warranted only rational basis review.
 - There was a rational basis for the law's classifications: “Tennessee concluded that there is an ongoing debate among medical experts regarding the risks and benefits associated with administering puberty blockers and hormones to treat gender dysphoria, gender identity disorder, and gender incongruence. [The law's] ban on such treatments responds directly to that uncertainty.”



Any Questions – Please Contact:

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