

2023 Legislative Update  
TJCSA Conference  
August 15, 2023



## 2023 Legislative Update

Stacy Lynch  
Court Improvement Program Director  
stacy.lynch@tncourts.gov

TJCSA Conference  
August 15, 2023

---

---

---

---


---

---

---

---

You can download a copy of this presentation by using the link  
<https://tncourts.gov/tcjcj-tjcsa-annual-conference-cip-materials>  
or QR Code below



---

---

---

---

---


---

---

---

### TN Legislative Process

- The Tennessee General Assembly meets in Nashville each year beginning at noon on the second Tuesday of January.
- Each General Assembly meets 90 session days over a two-year period. Generally, legislative sessions last from mid-January through late April or May of each year.
- Legislative proposals can originate in either the Senate or House in the form of bills, resolutions and joint resolutions. A bill is a proposed law and may be either general or local. A general bill has a statewide impact, and a local bill affects only a particular county or town named in the bill.



TN General Assembly introduced over 1500 bills this year.

---

---

---

---

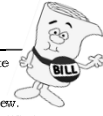
---

---

---

---

### TN Legislative Process



- For a new law to be made, it must be considered and passed on three separate days (considerations) by both the House and Senate.
- After the second consideration, general bills are referred to committee for review. That is where most of the work is done in determining if the bill should be modified, amended, or not reported out of the committee. Bills which the committees do approve are sent on through the system so that eventually they may be voted on by the full house for the third and final time.
- A constitutional majority is required for a new law to pass. This means it must receive at least 50 favorable votes in the House and 17 favorable votes in the Senate.
- Once a new law has been acted on favorably by the House and Senate, it is then sent to the Governor who can approve it by signing it or letting it become a law without his signature.
- The Governor may also disapprove a measure by vetoing it. The legislature may override the Governor's veto with a constitutional majority.

---

---

---

---

---

---

---

---

## Part I Civil Proceedings

---

---

---

---

---

---

---

---

### “Forever Homes Act” – Governor’s Adoption Omnibus Bill

**FC187:** (Johnson/Lambert)

Governor Lee’s Adoption Bill Package aimed at “ensuring permanency for children”. Requires DCS to strive to identify and finalize a safe, stable and permanent home for children in custody. Improving protections for birth parents and adoptive parents will create stronger adoptions.



- Permits **foster parents a period of respite** for up to six months.
- The time period in which financial support for living expenses can be offered to birth parents changed from 90 days before birth (third trimester) and 45 days after birth to **the duration of the pregnancy through 90 days after birth**.
- Counseling for birth parents is often recommended and encouraged in an adoption plan. The period of time in which a biological parent may request counseling services, covered by the adoptive family, increased from 1 year to **2 years after birth & placement**.
- Authorizes, at the courts discretion, a surrender to be made in chambers or **over a virtual video platform** if judge can view parent over the virtual platform
- Adds **legal representation rights and acknowledgment** language to TN Surrender form.
- The earliest time at which a surrender may be signed is reduced from the fourth day after birth to **whenever the birth parent is released from the hospital or 48 hours after birth, whichever comes sooner**.
- An entirely new surrender process was created giving a parent the **option to surrender their parental rights before the birth of a child**. This requires multiple steps for execution, including a “written reaffirmation” of a parent’s surrender within three days after the child’s birth.
- Courts may **reduce the six-month waiting period to finalize certain adoptions to three months**, if deemed in the best interest of the child.
- T.C.A. §§ 36-1-109; 36-1-111; 36-1-119; 36-1-127; 37-2-401; 37-2-405
- Effective date: 7/01/2023

---

---

---

---

---

---

---

---

**Documents Related to Parental Rights Proceedings**

**PC937:** (Johnson/Lamberth)

- Makes various changes in regard to **maintaining and securing documents in certain parental rights proceedings and the grounds for termination of parental rights.**
- Includes documents from the court where the adoption was filed, the offices of a licensed child-placing agency, the offices of a licensed clinical social worker, the department of health, and the department of children's services.
- T.C.A. §§ 36-1-102; 36-1-113; 36-1-126
- Effective date: 7/01/2023

---

---

---

---

---

---

---

---

**Waiver of Waiting Period after Filing Adoption Petition**

**PC393:** (Paul/Leatherwood)

- Courts must provide a **termination ruling within 30 days of a final hearing and enter a final order within 30 days of that ruling.**
- To ensure proper notice of termination and adoption proceedings, **alleged fathers must hold themselves out as the child's father in addition to paying financial support for the child or making a court appearance consistent with his claims.**
- T.C.A. §§ 36-1-113; 36-1-117
- Effective date: 4/24/2023

---

---

---

---

---

---

---

---



**Haile Adoption Omnibus Bill**

**PC263:** (Haile/Littleton)

- Requires DCS to **prioritize efforts to locate kinship foster care placement** for a child at least 30 days after the child's removal from their home.
- Makes various changes to **who may attend foster parent hearings.**
- DCS must now file termination petitions **within 90 days of finding severe child abuse**, when a child has been in **custody for six months and a parent has not made reasonable progress** in obtaining custody of their child during that time, and when **two or more termination grounds are applicable to a parent.**
- Prospective adoptive parents seeking to adopt a child in state custody will not have to undergo an additional home study by the DCS if they have a **home study completed by a licensed agency or social worker within two years.**
- New **ground for termination of parental rights** when that parent was charged or convicted of a rape from which the child was conceived.
- Authorizes a petitioner or respondent to request an expedited case for termination of parental or guardianship rights if a case has not been completed **within 90 days from when the petition was served** (adoption statute of repose).
- Requires a **biological father to waive their parental rights** prior to an adoption if that father has paid financial support to the child or child's mother, or if he has made a court filing or appearance consistent with the claim of paternity, or if he has openly lived with the child and held himself out as the father of the child.
- A judge now has the discretion to **reduce the three-day revocation period to 24 hours** if the parent is represented by a Tennessee attorney.
- **Decreases from one year to nine months** the length of time a trial court has to overturn an adoption.
- T.C.A. §§ 36-1-100; 36-1-109; 36-1-111; 36-1-112; 36-1-113; 36-1-114; 36-1-116; 36-1-117; 36-1-119; 36-1-120; 36-1-150; 36-2-318; 37-2-403
- Effective date: 7/01/2023; 7/01/2024

---

---

---

---

---

---

---

---

**Voluntary Delivery of Infant/Care by Authorized  
Nonprofit Licensed Child-Placing Agency**

**PC293:** (Haile/Butler)

**Streamlines filing procedures for Safe Haven children.**

- Requires DCS to designate an authorized nonprofit licensed child-placing agency to assume physical care, custody, and control of an infant voluntarily left at certain facilities or in a newborn safety device.
- Specifies that the court may waive the six-month waiting period after the filing of an adoption petition if the child was voluntarily left at certain facilities or in a newborn safety device, if the child has resided in the home of the petitioners for at least three months, and if the court has received the final court report concerning the circumstances of the child and the petitioners and is satisfied that the adoption will be in the best interest of the child.
- If an infant is abandoned, then DCS must file a petition seeking termination of parental rights within 10 calendar days after the 90-day period established in present law is completed. The court must then expedite the case and ensure that the hearing on the termination petition is heard within 30 days of the date the petition is filed, unless the court determines an extension is in the best interest of the child.
- T.C.A. §§ 36-1-119; 36-1-142
- Effective date: 7/01/2023

---

---

---

---

---

---

---

---

**Requirements for DCS Home Assessment**

**PC198:** (Jackson/Littleton)

- Adds to current law that DCS shall notify a court in writing of its intention to place a child at home on a trial home visit by providing that, prior to making such notification, **DCS must conduct an assessment of the home** to determine whether the child will receive proper care and supervision in the home, including a visit to the home.
- T.C.A. § 37-1-130
- Effective date: 4/24/2023



---

---

---

---

---

---

---

---

**Termination of Parental Rights – Incarcerated Parent**

**PC219:** (Haile/Slater)

- Provides that termination of parental or guardianship rights may be initiated upon the ground that the parent has been confined in a correctional or detention facility of any type: (1) By order of the court as a result of a criminal act, under a sentence of 10 or more years, and the child is under eight at the time the sentence is entered by the court; or (2) **By order of the court as a result of one or more criminal acts, under a sentence of six or more years, and one or more other grounds in law for termination of parental or guardianship rights have been satisfied.**
- T.C.A. § 36-1-113
- Effective date: 7/01/2023

---

---

---

---

---

---

---

---

**Termination of Parental Rights - Abandonment Grounds**

**PC373:** (Haile/Butler)

- If a parent or guardian fails to visit or support a **child under the age of four** for a period of **three consecutive months** preceding a proceeding to terminate parental rights, or preceding incarceration, it will constitute as abandonment and make the child available for adoption.
- If the child is four years old or older, this abandonment time period will remain six months.
- T.C.A. §§ 36-1-102; 36-1-119
- Effective date: 7/01/2023

---

---

---

---

---

---

---

---

**Termination of Parental Rights - TN Putative Father Registry**

**PC363:** (Rose/Leatherwood)

- Changes the time period during which the Tennessee putative father registry must have been consulted prior to the filing of a petition to terminate parental rights from **10 days to 10 working days**.
- Requires the appointment of a guardian ad litem in an adoption involving a mentally disabled child when the child is **14 years of age or older at any time before the granting of the petition rather than at any age**.
- T.C.A. §§ 36-1-102; 36-1-111; 36-1-113; 36-1-115; 36-1-116; 36-1-117; 36-1-122; 36-2-318; 37-1-102
- Effective date: 5/05/2023

---

---

---

---

---

---

---

---

**Documents Related to Parental Rights Proceedings**

**PC253:** (Johnson/Lamberth)

- Makes various changes in regards to maintaining and securing documents in certain parental rights proceedings and the grounds for termination of parental rights.
- Includes documents from:
  - ✓ the court where the adoption was filed,
  - ✓ the offices of a licensed child-placing agency,
  - ✓ the offices of a licensed clinical social worker,
  - ✓ the department of health, and
  - ✓ the department of children's services.
- T.C.A. §§ 36-1-102; 36-1-113; 36-1-126
- Effective date: 7/01/2023

---

---

---

---

---

---

---

---

**Litigation Tax for Adoption Proceedings**

**PC370:** (White/Stevens)

- Adoption proceedings occurring in chancery, circuit or juvenile courts to the courts are **exempted from litigation tax**.
- Affirms a county's right to continue to levy such a tax on the relevant proceedings.
- T.C.A. §§ 67-4-601; 67-4-604
- Effective date: 7/01/2023



---

---

---

---

---

---

---

---

**Restitution Order for Child Maintenance Payments After Vehicular Homicide**

**PC217:** (Lowe/Cochran)

- The surviving parent or guardian of a child whose parent was a victim of vehicular homicide can **convert a restitution order for child maintenance payments to a civil judgment at any time** rather than following the conclusion of the defendant's sentence.
- T.C.A. § 39-13-219
- Effective date: 7/01/2023

---

---

---

---

---

---

---

---

**Part II**  
**Dependency and Neglect**

---

---

---

---

---

---

---

---

### No DL Fees for Minors in DCS Custody

**PC468:** (Akbari/McKenzie)

- **Exempts a person under 18 years of age who is in custody of the DCS or receiving foster care services from payment of fees** for issuance, renewal, or reinstatement of a driver license, instruction permit, intermediate driver license, or photo identification card.
- T.C.A. § 55-50-312
- Effective date: 1/01/2024



---

---

---

---

---

---

---

---

### Admissibility of Child Forensic Interview

**PC139:** (Haile/Littleton)

- Increases the age for **admissibility of statements made during a forensic interview from age 13 to 17.**
- **Expands admissible forensic interviews** from statements made by a child describing sexual contact performed with or on the child by another to statements describing sexual, abusive or violent contact performed with or on the child by another or performed by a person with or on another and witnessed by the child.
- Adds provision allowing a person to conduct forensic interview who has been supervised by an experienced forensic interviewer for a minimum of 20 forensic interviews.
- T.C.A. §§ 24-7-123; 37-1-127
- Effective date: 4/06/2023

---

---

---

---

---

---

---

---

### DCS Allowed to Publicly Disclose Case Information

**PC292:** (Lowe/Russell)

- Allows DCS to disclose information about a case to the public if:
  - ✓ **all parties** involved in the case, including the child, are **deceased** and
  - ✓ all identifying personal information of the parties is **redacted.**
- T.C.A. § 37-5-107
- Effective date: 4/28/2023

---

---

---

---

---

---

---

---

**Information in Court Filings Regarding Parenting Plans**

**PC124:** (Yarbro/Beck)

- Permits the use of certain information about a person contained in court filings regarding parenting plans as follows:
  - ✓ Full social security number;
  - ✓ Taxpayer identification number;
  - ✓ Birth date;
  - ✓ Name, if the person is not a minor; or
  - ✓ Financial account number.
- T.C.A. § 20-6-102
- Effective date: 4/04/2023

---

---

---

---

---

---

---

---

**Mature Minor Doctrine Clarification Act**

**PC477:** (Bowling/Ragan)SB1111/HB1380

*A decision to administer a vaccine to a child requires parental consent.*



- Prohibits a healthcare provider from providing a vaccination to a minor unless the healthcare provider first receives **written informed consent from a parent or legal guardian of the minor.**
- **Exception exists if a court order to administer the vaccine is obtained.** Parents should have notice of hearing wherein this parental consent is waived.
- Prohibits an employee or agent of this state from providing or facilitating the vaccination of a minor child who is in the custody of this state unless a parent or guardian has provided prior written consent or the parental rights of each of the minor's parents or legal guardians have been terminated by a court.
- Requires the Department of Health to establish a registry database for the reporting of vaccinations of minors by healthcare providers in this state.
- T.C.A. §§ 14-4-103; 63-1-100
- Effective date: 5/17/2023

---

---

---

---

---

---

---

---

**Abrial's Law: Keeping Children Safe from Family Violence Act**

**PC266:** (Massey/Alexander)

- All judges involved in child custody proceedings are required to complete at least two hours of training or continuing education courses on domestic violence or child abuse per year or 10 hours per five years.
- The training or continuing education courses may include the following topics: child sexual abuse; physical abuse; emotional abuse; coercive control; implicit and explicit bias, including biases relating to parents with disabilities; trauma; long-term and short-term impacts of domestic violence and child abuse on children; victim and perpetrator behavior patterns and relationship dynamics within the cycle of violence; and any relevant topic addressing the best interest of the victim.
- The training and continuing education courses may be offered in person or virtually by the AOC in conjunction with the annual meetings of the judicial conferences.
- T.C.A. § 36-6-701
- Effective date: 1/01/2024

---

---

---

---

---

---

---

---



**Part III**  
**Criminal Proceedings**

---

---

---

---

---

---

---

---

**Transfer of Juvenile to Criminal Court – Offense of Escape**

**PC264:** (Walley/Littleton)

- A juvenile court may transfer a juvenile 16 years of age or older to a criminal court of competent jurisdiction to be tried as an adult for committing the **offense of escape** from a youth development center approved, certified, or licensed by DCS.
- T.C.A. §§ 37-1-134; 37-5-206
- Effective date: 7/01/2023



---

---

---

---

---

---

---

---

**Violation of Court Order Prohibiting Parent from Visiting Child**

**PC238:** (Jackson/Littleton)

- Creates an offense for a foster parent from a **kinship placement to knowingly allow a child in the foster parent's care to visit with the child's parent if the foster parent had knowledge of a current court order prohibiting the parent from visiting with the child.**
- Specifies that the first violation is a Class C misdemeanor punishable by a fine only and a second or subsequent violation is a Class B misdemeanor.
- T.C.A. § 37-2-414
- Effective date: 7/01/2023

---

---

---

---

---

---

---

---

### Misdemeanor Offense of Parentage Fraud

**PC189:** (Lundberg/Parkinson)

- Establishes the **Class A misdemeanor of parentage fraud** when a person:
  - fraudulently claims that the victim is the biological parent of a child or fraudulently seeks to be legally established as a child's parent based on the person's status as a biological parent of the child
  - **with intent to deprive that person's right to property** (child support) or **to prevent actual biological parent from exercising parental rights.**
- T.C.A. § 39-14-100
- Effective date: 7/01/2023

---

---

---

---

---

---

---

---



### Delta-8 THC Products Regulation

**PC423:** (Briggs/Lamberth)

- Delta-8 products have been legal and unregulated in Tennessee since the 2018 federal Farm Bill.
- Establish that it is an offense for a person or entity to engage in the business of manufacturing, producing, or selling products containing a hemp-derived cannabinoid in this state **without a valid license.**
- Retailers offering Delta-8 THC products may no longer sell to **anyone under the age of 21** and must store the products **behind the counter.**
- Imposes new lab testing and packaging requirements, and regulates advertising for the products.
- Clarifies that hemp does not include a substance that is categorized as a Schedule I controlled substance on or after July 1, 2023.
- **Prohibit a retail location that is within 1,000 feet of a school** that serves any grades from K-12 from selling products containing a hemp-derived cannabinoid, unless the applicant provides the department with documentation that establishes that products containing a hemp-derived cannabinoid were being offered for sale at retail at such location on or before December 31, 2023.
- T.C.A. §§ 43-27-200; 43-27-201; 43-27-202; 43-27-203; 43-27-204; 43-27-205; 43-27-206; 43-27-207; 43-27-208; 43-27-209; 43-27-210; 43-27-211; 43-27-212; 53-11-451; 67-6-200; 67-6-232
- Effective date: 7/01/2024

---

---

---

---

---

---

---

---

### Sentencing for Rape & Incest – Age Differences

**PC283:** (White/Littleton)

- If the **victim is at least 13 but less than 18, then the rape** is still a Class B felony but the defendant must be punished as a Range II offender and the sentence imposed upon the defendant may be within Range III sentencing guidelines, but in no case lower than Range II.
- If the **victim is a minor, then the incest** is still a Class C felony but the defendant must be punished as a Range II offender and the sentence imposed upon the defendant may be within Range III sentencing guidelines.
- T.C.A. §§ 39-13-503; 39-15-302
- Effective date: 7/01/2023

---

---

---

---

---

---

---

---

### Sexual Exploitation of a Minor

**PC209:** (Lundberg/Crawford)

- Expands the definition of sexual activity to include:  
*“Exhibition of the female breast, genitals, buttocks, anus, or pubic or rectal area of any person that can be reasonably construed as being for the purpose of sexual arousal or gratification of the defendant or another.”*
- Previously had to be actual sexual activity or lascivious display of intimate parts.
- T.C.A. § 39-13-529
- Effective date: 7/01/2023

---

---

---

---

---

---

---

---

### Aggravated Animal Abuse

**PC334:** (Walley/Littleton)

- Any child **adjudicated delinquent** for aggravated animal abuse must receive a mental health evaluation and treatment.
- If it involves a domesticated dog or cat:
  - ✓ Expense for the evaluation and treatment is to be paid by the county pursuant to TCA § 37-1-150.
  - ✓ Parents failing to follow the courts orders in these matters may be punished for contempt pursuant to TCA § 37-1-158.
- T.C.A. § 39-14-212
- Effective date: 7/01/2023



---

---

---

---

---

---

---

---

### Custodial Interference

**PC286:** (Bailey/Travis)

- **Adds to the offense of custodial interference** for any person who harbors or hides a child that has been placed in the custody of the DCS by a protective custody order or an emergency custody order.
- T.C.A. § 39-13-306
- Effective date: 7/01/2023

---

---

---

---

---

---

---

---

## Child Support Obligor Orders

**PC366:** (Akbari/Lamberth)

- Extends the time within which a party may request a rehearing of the determination of a child support magistrate from five days to 10 days.
- Provides that in addition to up to six months in jail, a court has the discretion to require a child support obligor who fails to comply with support order to **remove litter from appropriate locations or work in a recycling center.**
- The court also has the discretion to order the department of safety to **issue the obligor a restricted driver license.**
- T.C.A. § 36-5-104
- Effective date: 5/05/2023

---

---

---

---

---

---

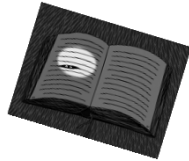
---

---

## Obscene Books

**PC278:** (Hensley/Lynn)

- Local district attorneys and the Tennessee attorney general can **criminally charge and prosecute book publishers, distributors and sellers who knowingly distribute materials that violate state obscenity law to public schools and school districts.**
- Book publishers and distributors could face Class E felony charges (one to six years imprisonment and a fine of up to \$3,000) plus fines of up to \$100,000 per violation.
- T.C.A. §§ 39-17-900; 39-17-902
- Effective date: 7/01/2023



---

---

---

---

---

---

---

---

## Wrongful Adoption

**PC361:** (Walley/Hawk)

- Creates a **class A misdemeanor** for attempting to place a child for adoption in violation of State laws.
- Allows a party to a wrongful adoption to bring an action against the agency or LCSW that performed or otherwise participated in the adoption and knew or should've known it was illegal.
  - Allows **punitive damages of no less than \$100,000.**
- T.C.A. §§ 29-34-200; 29-34-214; 36-1-108; 47-18-104
- Effective date: 7/01/2023

---

---

---

---

---

---

---

---

**Part IV**  
**Education**

---

---

---

---

---

---

---

---

**SROs Provided to Private Schools**



- PC283:** (Haile/Garrett)
- Authorizes a private school and a local government to execute a contract or memorandum of understanding to **allow the law enforcement agency of the local government to provide school resource officers to the private school.**
  - T.C.A. § 49-6-4200
  - Effective date: 3/31/2023

---

---

---

---

---

---

---

---

**Schools Against Violence in Education Act**

- PC367:** (Johnson/Lamberth)
- Amended the existing Schools Against Violence in Education Act, which established a state level safety system.
  - The amendments expanded the scope of the original act to **include more resources for each district's school safety team.**
  - Also **provides for an enhanced panic alert system.**
  - T.C.A. §§10-7-504; 49-6-802; 49-6-803; 49-6-804; 49-6-805; 49-6-807; 49-6-808; 49-6-810; 49-6-817; 49-6-818; 49-6-2701; 49-6-4302; 49-35-102; 49-35-103; 62-35-118; 62-35-122; 62-35-134
  - Effective date: 7/01/2023

---

---

---

---

---

---

---

---

**Zero Tolerance Offense for Mass Violence Threat**

**PC367:** (Lundberg/Cepicky)

- Calls for students to be considered in violation of a zero tolerance offense and **be expelled for at least one calendar year if the student threatens mass violence on school property or at a school-related activity.**
- Exceptions can be made on a case-by-case basis on the superintendent's discretion.
- T.C.A. § 49-6-3401
- Effective date: 7/01/2023

---

---

---

---

---

---

---

---

**Safe Stars Act for Community-Organized Youth Sports and Private Schools**

**PC382:** (Lamar/Hakeem)

- Expands the scope of the youth sports safety law by **requiring coaches to complete a concussion safety class, a cardiac arrest care class, undergo CPR training, comply with a background check and implement safety standards.**
- Encourages coaches of school athletic activities to annually complete training in physical conditioning and training equipment use, as well as rehearse an emergency action plan.
- T.C.A. § 49-6-3601
- Effective date: 7/01/2023



---

---

---

---

---

---

---

---

**Criminal Conduct on School Property**

**PC153:** (Stevens/Reedy)

- Adds the Director of Schools as a person to whom a principal must report any direct knowledge of an offense of **assault or vandalism committed by a student on school property endangering the life health or safety of others.**
- Expands the Educators Bill of Rights to include the educators **right to report an offense of assault or vandalism committed by a student on school property** and the **right to receive benefits** if the educator is a teacher who is absent from their assigned duties due to injuries caused by a criminal act committed against the teacher in the course of employment.
- T.C.A. §§ 49-5-209; 49-5-714; 49-6-4301
- Effective date: 4/13/2023

---

---

---

---

---

---

---

---

## Voting Rights

**PC444:** (Campbell/McKenzie)

- All Tennessee high schools must notify each senior that they have a right to vote at age 18.
- Must provide information about:
  - ✓ Voter eligibility;
  - ✓ How to register; and
  - ✓ Any info about supplemental voter registration conducted at the student's school.
- T.C.A. § 2-2-111
- Effective date: 5/17/2023



---

---

---

---

---

---

---

---

## Student ID Cards Include Suicide Prevention Lifeline Info

**PC190:** (Campbell/Freeman)

- Requires public institutions of higher education that issue new student identification cards to students enrolled in the institution to include:
  - ✓ **Contact information for the National Suicide Prevention Lifeline** and contact information for certain crisis and suicide prevention lifelines on ID cards; and
  - ✓ **988 suicide/crisis number** and at least one additional crisis resource.
- Requires same institutions to post the same information in a conspicuous place on each campus.
- Requires each institution to create and feature a webpage on the institution's website or a mobile application **that contains information dedicated solely to the mental health resources available to the institution's students.**
- Requires any LEA that serves grades 6th-12th to update any newly issued ID cards to include the contact information for the 988 Suicide and Crisis Lifeline rather than the National Suicide Prevention Lifeline.
- T.C.A. §§ 49-6-1904; 49-7-100; 49-7-172; 49-7-182
- Effective date: 7/01/2023

---

---

---

---

---

---

---

---

## Part V Miscellaneous

---

---

---

---

---

---

---

---

## Magistrate Review

**PC477:** (Haile/Garrett)

- Rewrites the provisions for appeals of cases heard by a magistrate by **changing the right from a de novo hearing by the juvenile court judge to a review by the juvenile court judge** with a presumption of correctness as to the magistrate's order.
- Makes relevant revisions including time limits and procedure for filing request for review.
  - Written request for review of the record by a juvenile court judge **must be filed within ten days** after entry of magistrate's order and **must include specific exceptions to magistrate's findings, conclusions or recommendations.**
- T.C.A. § 37-1-107
- Effective date: 4/25/2023

---

---

---

---

---

---

---

---

## Requirements for DCS Training

**PC067:** (Akbari/Russell)

- DCS is required to:
  - ✓ Provide annual training to youth service officers on best practices for **behavior management and conflict resolution in the context of supervision of juvenile justice youth;**
  - ✓ Provide training on best practices for **behavior management and conflict resolution in the supervision of juveniles;** and
  - ✓ **Make chaplain services available on a regular basis to juveniles who are in the department's custody and housed in a juvenile detention facility** approved, certified, or licensed by the department, including youth development centers.
- Prohibits the department from requiring a juvenile to attend or make use of chaplain services.
- Requires juveniles 16 years of age or older in the department's custody in a Level III or Level IV facility to be **housed, educated, and maintained separately** from children less than 16 years of age.
- T.C.A. §§ 37-5-100; 37-5-200
- Effective date: 1/01/2024

---

---

---

---

---

---

---

---

## Prohibited Medical Procedures for Minors

**PC1:** (Johnson/Lamberth)

- Prohibits a healthcare provider from performing on a minor or administering to a minor a medical procedure if the performance or administration of the procedure is for the **purpose of enabling a minor to identify with, or live as, a purported identity inconsistent with the minor's sex at birth.**
- T.C.A. §§ 63-1-169; 68; 68-33-0; 68-33-101; 68-33-102; 68-33-103; 68-33-104; 68-33-105; 68-33-106; 68-33-107; 68-33-108; 68-33-109
- Effective date: 7/01/2023



---

---

---

---

---

---

---

---



Any Questions – Please Contact:

**Stacy Lynch**  
**Court Improvement Program Director**  
**Administrative Office of the Courts**  
**(615) 741-2687 ext. 1040**  
**[stacy.lynch@tncourts.gov](mailto:stacy.lynch@tncourts.gov)**

---

---

---

---

---

---

---

---