

CHAPTER NO. 988

HOUSE BILL NO. 2299

By Representatives Lois DeBerry, Bowers, Chumney

Substituted for: Senate Bill No. 2343

By Senator Dixon

AN ACT to amend Tennessee Code Annotated, Title 9, Chapter 6, Part 1, relative to child advocacy centers.

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

SECTION 1. Tennessee Code Annotated, Title 9, Chapter 6 Part 1, is amended by adding the following language as a new appropriately designated section.

(a) Except as otherwise provided in subsection (b), on and after July 1, 1998, no state funds appropriated specifically for child advocacy centers shall be allocated or paid to any such center unless the center clearly demonstrates that it:

(1) is a non-profit corporation which has received a determination of exemption from the internal revenue service under 26 United States Code § 501(c)(3);

(2) employs an executive director who is answerable to the board of directors and who is not the salaried employee of any governmental entity signing the memorandum of understanding and working protocol identified in item (3) below;

(3) has a signed memorandum of understanding and working protocol executed among:

(A) the department of children's services,

(B) all county and municipal law enforcement agencies within the geographical area served by the center,

(C) all district attorney offices within the geographical area served by the center, and

(D) any other governmental entity which participates in child abuse investigations or offers services to child abuse victims within the geographical area served by the center;

(4) facilitates the use of a multidisciplinary team (representing prosecution, law enforcement, mental health, medical, child protective and social services professionals and the juvenile court) which jointly:

(A) assesses victims of child abuse and their families,
and

(B) determines the need for services;

(5) provides a facility, located in a neutral, child-friendly and physically separate space from the day-to-day operations of the governmental entities signing the memorandum of understanding and working protocol identified in item (3) above, at which facility the multidisciplinary team meets to coordinate the efficient and appropriate disposition of child abuse cases through the civil and criminal justice systems;

(6) provides for the provision of needed services, referral to such services, and case tracking; and

(7) has written policies and procedures consistent with standards established by the national network of children's advocacy centers.

(8) agrees to accurately collect and report key outcome data and information relative to each center's operations to the Tennessee Chapter of Children's Advocacy Centers. Such data and information shall be compiled by the Tennessee Chapter of Children's Advocacy Centers and shall be reported annually to the chairpersons of the Senate Judiciary Committee, the House of Representatives Children and Family Affairs Committee, and the Select Committee on Children and Youth. The data and information collected pursuant to this act shall include, at a minimum, the following:

(i) number and demographic profiles of cases served by age, gender, race, type of abuse and treatment thereof, including mental health and medical services rendered;

(ii) demographic profiles of perpetrators of abuse by age, gender, race, relationship to victim, and the outcome of any legal action taken against such perpetrators;

(iii) the nature of services and support provided by or through the center; and

(iv) data and information relative to community investment in and community support of the center.

(b) On and after July 1, 1998, no state funds appropriated specifically for one-time, start-up assistance for new child advocacy centers shall be allocated or paid to any such center unless the center clearly demonstrates that it:

(1) has a signed memorandum of understanding and working protocol executed among:

(A) the department of children's services,

(B) all county and municipal law enforcement agencies within the area served by the center,

(C) all district attorney offices within the area served by the center, and

(D) any other governmental entity which participates in child abuse investigations or offers services to child abuse victims within the area served by the center; and

(2) has formally filed application for a determination of exemption from the internal revenue service under 26 United States Code § 501(c)(3).

After receiving any such start-up assistance, no additional state funds appropriated specifically for child advocacy centers shall be allocated or paid to such center unless the center clearly demonstrates that it complies with the enumerated requirements set forth in subsection (a) above.

(c) Notwithstanding any other provision of this act to the contrary, the department of children's services or any other department administering state funds specially appropriated for child advocacy centers shall continue to allocate and/or pay such funds to existing child advocacy centers with active applications on file with the department if such centers demonstrate satisfactory progress in efforts to achieve compliance with the provisions of this act.

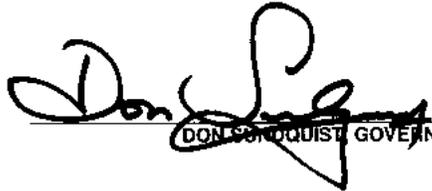
SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 29, 1998


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 18th day of May 1998


DON S. QUIST, GOVERNOR