

Senate Judiciary Committee Amendment No. 1, as amended, (by Haynes)

Amendment No. 2 to SB0984

**Person
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Comm. Amdt. _____

AMEND Senate Bill No. 984

House Bill No. 524*

by deleting Sections 3 and 4 in their entirety and by substituting instead the following:

SECTION 3. Tennessee Code Annotated, Section 37-1-612(c), is amended by deleting the word "and" at the end of subdivision (4), and by adding the following language as new, appropriately designated subdivisions:

(6) An attorney or next friend who is authorized to act on behalf of the child, who is the subject of the records, for the purpose of recovering damages or other remedies authorized by law in a civil cause of action against the perpetrator or other person or persons who may be responsible for the actions of the perpetrator; and

(7) An attorney or next friend who is authorized to act on behalf of another child, who has been the victim of other abuse by the same perpetrator, for the purpose of recovering damages or other remedies authorized by law in a civil cause of action against the perpetrator or other person or persons who may be responsible for the actions of the perpetrator against such other child; provided however, that:

(A) The name and identity of such other child shall be revealed only to the attorney or next best friend of such other child, to the parties and to their respective counsel in the civil cause of action in which such damages or other remedies are sought, and to the trial judge who presides over the action;

(B) An appropriate protective order must be entered prior to such disclosure; and

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(C) Before any attempt is made to introduce into evidence in the civil cause of action either the records or information obtained from the records, written consent must be obtained from:

(i) Each parent or guardian having sole or joint custody of such other child, if the child has not yet attained the age of majority; or,

(ii) The former child, if he or she has now attained the age of majority.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to any investigation or any civil cause of action pending or filed on or after the effective date of this act.