

HOUSE BILL 677

By Cooper B

AN ACT to amend Tennessee Code Annotated, Title 36,
Chapter 6, Part 3, relative to supervised visitation.

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

SECTION 1. Tennessee Code Annotated, Section 36-6-301, is amended by designating the existing language as subsection (a) and by adding the following language as subsection (b):

(b)

(1) In all cases where the court orders supervised visitation, the court shall make specific findings that demonstrate that unsupervised visits could cause irreparable harm to the child. A court ordered supervisor is to be a competent person approved by the court who can secure the safety of the child and is willing to be subject to the orders of the court. A parent may not be suspended from visitation due to being unable to pay for a specified visit. Supervisors serving under a court order may seek relief from the court from a payment schedule. Both parents shall share the cost of supervised visitation unless the court determines that one parent is more at fault in creating the situation which would require the supervised visits, then the court may assign all cost to one parent. The cost for the supervisor may not exceed the guidelines set by the administrative office of the courts for the appointment of counsel in dependent and neglect cases involving children under title 37, chapter 1. The cost for any necessary facility for supervised visitation may not exceed forty dollars (\$40.00) per hour.

(2) This subsection (b) may be known and cited as the "Avin and Preston Law".

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it.