

HOUSE BILL 2658

By Favors

AN ACT to amend Tennessee Code Annotated, Title 33;
Title 36 and Title 37, relative to the best interest of
the child.

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

SECTION 1. Tennessee Code Annotated, Section 36-6-106(a)(5), is amended by deleting the subdivision in its entirety and substituting instead the following:

(5) The mental and physical health of the parents or caregivers, including but not limited to, whether or not a parent or caregiver has a diagnosable addiction that would make the parent or caregiver unable to provide acceptable care for the child;

SECTION 2. Tennessee Code Annotated, Section 36-6-108(c)(7), is amended by deleting the subdivision in its entirety and substituting instead the following:

(7) The mental and physical health of the parents, including but not limited to, whether or not a parent has a diagnosable addiction that would make the parent unable to provide acceptable care for the child;

SECTION 3. Tennessee Code Annotated, Section 36-6-404(b)(9), is amended by deleting the subdivision in its entirety and substituting instead the following:

(9) The character and physical and emotional fitness of each parent as it relates to each parent's ability to parent or the welfare of the child, including but not limited to, whether or not a parent has a diagnosable addiction;

SECTION 4. This act shall take effect July 1, 2010, the public welfare requiring it, and shall apply to any proceeding in which the best interest of the child is being evaluated for purposes of determining custody, relocation or a residential schedule of a child on or after the effective date of this act.