

SENATE BILL 2881

By Bunch

AN ACT to amend Tennessee Code Annotated, Title 36,  
Chapter 6, Part 1, relative to equal parenting.

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

SECTION 1. Tennessee Code Annotated, Section 36-6-101, is amended by deleting subdivision (a)(2)(A)(i) in its entirety and substituting instead the following:

(i) Except as provided in this subdivision (a)(2)(A), the court shall have the widest discretion to order a custody arrangement that is in the best interest of the child. At any hearing to determine custody of a minor child, the court shall order that the child get equal time with each of the child's parents unless the court finds by clear and convincing evidence that one (1) or both of the parents are unfit to care for the child. This section shall not be construed to prohibit both fit parents from voluntarily entering into a parenting plan that does not give the child equal time with each parent. This section shall not be construed to prohibit the court from giving the child less than equal time with a parent that does not seek equal time with the child. For the purpose of assisting the court in making a custody determination when a parent has been proven to be unfit, the court may direct that an investigation be conducted.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.