

SENATE BILL 818

By Crowe

AN ACT to amend Tennessee Code Annotated, Title 2; Title 4; Title 5; Title 8; Title 10; Title 37; Title 48; Title 49; Title 56; Title 63; Title 68; Title 70 and Title 71, relative to replacing anachronistic terms for disabilities.

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

SECTION 1. Tennessee Code Annotated, Section 2-12-114(b)(1)(D), is amended by deleting the language “mental health and mental retardation” and by substituting instead the language “mental health, intellectual and developmental disabilities”.

SECTION 2. Tennessee Code Annotated, Section 4-31-702(a), (b), and (c), are amended by deleting the language “mental retardation” wherever it occurs and by substituting instead the language “intellectual disability”.

SECTION 3. Tennessee Code Annotated, Section 5-9-101(3), is amended by deleting the language “the indigent, mentally ill and mentally retarded” and by substituting instead the language “people who are indigent or have mental illness or intellectual disability”.

SECTION 4. Tennessee Code Annotated, Section 5-9-101(24), is amended by deleting the language “the mentally ill and the mentally retarded” and by substituting instead the language “people with mental illness or intellectual disability”.

SECTION 5. Tennessee Code Annotated, Section 8-30-208(b)(7), is amended by deleting the language “mental health/mental retardation institutions” and by substituting instead the language “mental health institutions/developmental centers”.

SECTION 6. Tennessee Code Annotated, Section 10-7-504(c), is amended by deleting the language “mental retardation” and by substituting instead the language “intellectual disability”.

SECTION 7. Tennessee Code Annotated, Section 37-1-102(b)(23)(B), is amended by deleting the language “retardation” and by substituting instead the language “intellectual disability”.

SECTION 8. Tennessee Code Annotated, Section 48-101-301(5), is amended by deleting the language “physically and mentally retarded individuals” and the language “physically and/or mentally retarded individuals” and by substituting instead the language “individuals with physical and/or intellectual disability”.

SECTION 9. Tennessee Code Annotated, Section 48-101-301(15)(E), is amended by deleting the language “physically and mentally retarded individuals” wherever it appears and by substituting instead the language “individuals with physical and/or intellectual disability”.

SECTION 10. Tennessee Code Annotated, Section 48-101-302(b), is amended by deleting the language “the physically and mentally retarded” and by substituting instead the language “individuals with physical and/or intellectual disability”.

SECTION 11. Tennessee Code Annotated, Section 48-101-308(a)(7) and (8), are amended by deleting the language “physically and mentally retarded individuals” wherever it occurs and by substituting instead the language “individuals with physical and/or intellectual disability”.

SECTION 12. Tennessee Code Annotated, Section 49-2-115(b), is amended by deleting the language “mental health and mental retardation” and by substituting instead the language “mental health, intellectual and developmental disabilities”.

SECTION 13. Tennessee Code Annotated, Section 49-5-5004(c), is amended by deleting the language “mental health and mental retardation” and by substituting instead the language “mental health, intellectual and developmental disabilities”.

SECTION 14. Tennessee Code Annotated, Section 49-8-802(a), is amended by deleting the language “and mental health and mental retardation” and by substituting instead the language “mental health, and intellectual and developmental disabilities”.

SECTION 15. Tennessee Code Annotated, Section 49-10-902(a)(2), is amended by deleting the language “the mentally retarded” and by substituting instead the language “people with intellectual disability”.

SECTION 16. Tennessee Code Annotated, Section 56-7-2503, is amended by deleting the language “mentally ill or mentally retarded persons” wherever it occurs and by substituting instead the language “persons with mental illness or intellectual disability”.

SECTION 17. Tennessee Code Annotated, Section 56-7-2601(b), (c)(1), and (e), are amended by deleting the language “mental retardation” wherever it occurs and by substituting instead the language “intellectual disability”.

SECTION 18. Tennessee Code Annotated, Section 63-7-102(10)(B), is amended by deleting the language “mental retardation” and by substituting instead the language “intellectual disability”.

SECTION 19. Tennessee Code Annotated, Section 63-11-208(e)(3) and (e)(4), are amended by deleting the language “mental retardation” wherever it occurs and by substituting instead the language “intellectual disability”.

SECTION 20. Tennessee Code Annotated, Section 68-1-904(c)(1), is amended by deleting the language “persons with mental retardation” and by substituting instead the language “persons with intellectual disability”, and by deleting the language “the mentally retarded” wherever it occurs and by substituting instead the language “persons who have intellectual disability”.

SECTION 21. Tennessee Code Annotated, Section 68-5-401(a)(1), is amended by deleting the language “mental retardation” and by substituting instead the language “intellectual disability”.

SECTION 22. Tennessee Code Annotated, Section 68-5-502(a), is amended by deleting the language “mental retardation” and by substituting instead the language “intellectual disability”.

SECTION 23. Tennessee Code Annotated, Section 68-5-504(b)(1), is amended by deleting the language “mental retardation” and by substituting instead the language “intellectual disability”.

SECTION 24. Tennessee Code Annotated, Section 68-11-705, is amended by deleting the language “mentally ill and mentally retarded persons” and by substituting instead the language “persons with mental illness or intellectual disability”.

SECTION 25. Tennessee Code Annotated, Section 68-11-1602(7)(A), is amended by deleting the language “mental retardation institutional habilitation facility” and by substituting instead the language “intellectual disability institutional habilitation facility”.

SECTION 26. Tennessee Code Annotated, Section 68-11-1625(f)(14), is amended by deleting the language “Mental retardation institutional habilitation facilities” and by substituting instead the language “Intellectual disability institutional habilitation facilities”.

SECTION 27. Tennessee Code Annotated, Section 70-2-104(b)(1) and (b)(2), are amended by deleting the language “mental retardation” wherever it occurs and by substituting instead the language “intellectual disability”, and deleting the word "retardation" and substituting instead the word "disability".

SECTION 28. Tennessee Code Annotated, Section 71-5-107(a)(14), is amended by deleting the language “Mental retardation” and by substituting instead the language “Intellectual disability”.

SECTION 29. For purposes of each provision amended by this act, a reference to intellectual disability shall be considered to refer to mental retardation, as defined by that provision on the day before the date of enactment of this act.

SECTION 30. Nothing in this act shall be construed to alter or otherwise affect the eligibility for services or the rights or responsibilities of individuals covered by the provision on the day before the date of enactment of this act.

SECTION 31. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 32. This act shall take effect upon becoming a law, the public welfare requiring it.