

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 218 – SB 1089

April 7, 2015

SUMMARY OF ORIGINAL BILL: Requires a parent under indictment for or charged with the offense of aggravated child abuse, child sexual abuse, or severe child sexual abuse to be conclusively presumed to present a substantial risk of harm to the child during the pendency of the charges regarding child custody matters before the court.

The court is prohibited from awarding any type of custody to a parent who is under indictment or charged with the offense of aggravated child abuse, child sexual abuse, or severe child sexual abuse prior to the awarding of custody. The indictment or charge of these offenses shall constitute a material change in circumstance for the purpose of modifying any existing child custody orders.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (005741): Deletes all language after the enacting clause and rewrites the bill to authorize the court to grant the parent who is under indictment for or charged with the offense of aggravated child abuse, child sexual abuse, or severe child sexual abuse supervised visitation with the child in which child custody matters are before the court.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

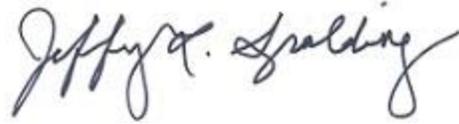
Assumptions for the bill as amended:

- The provisions of the bill as amended will affect the parental custody between private parties and will not affect any children currently under the supervision of the Department of Children's Services.
- A small increase in cases in the court system, which will result in additional state and local government expenditures for processing the cases and additional state and local government revenue from fees, taxes and costs collected. These expenditures and revenue are estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

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Jeffrey L. Spalding, Executive Director

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