

Amendment No. 1 to HB2395

Curcio
Signature of Sponsor

AMEND Senate Bill No. 2362

House Bill No. 2395*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-1-131, is amended by deleting subdivision (a)(2)(A)(ii) and substituting instead the following:

(ii) Probation may continue only so long as it is in the best interest of the child that the condition or conditions of probation remain in effect;

SECTION 2. Tennessee Code Annotated, Section 37-1-131, is amended by deleting subdivision (a)(2)(A)(v)(c)(2) and substituting instead the following:

(2) A child placed in the custody of the department under this subdivision (a)(2)(A)(v)(c) shall remain in custody so long as necessary to complete the treatment or services, which shall be evidence-based and provided by a qualified provider;

SECTION 3. Tennessee Code Annotated, Section 37-1-131(a)(3), is amended by deleting the subdivision and substituting instead the following:

(A) Placing the child in an institution, camp, or other facility for delinquent children operated under the direction of the court or other local public authority. The court may order the delinquent child to participate in programming at a nonresidential facility for delinquent children operated under the direction of the court or other local public authority after the period of detention. The court shall report each disposition of detention to the administrative office of the courts;

(B) Pursuant to this subdivision (a)(3), the court may order detention for a maximum of forty-eight (48) hours for the delinquent child to be served only on days the

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school in which the child is enrolled is not in session; provided, that if the court finds and issues a written order that it is in the best interest of the child, the court may order:

(i) Multiple periods of detention to be served only on days the school in which the child is enrolled is not in session; and

(ii) A longer period of detention to be served only on days the school in which the child is enrolled is not in session;

SECTION 4. Tennessee Code Annotated, Section 37-1-131, is amended by deleting subdivision (a)(4)(B)(iii)(b) and substituting instead the following:

(b) A child placed in the custody of the department under this subdivision (a)(4)(B)(iii) shall remain in custody so long as necessary to complete the treatment or services, which must be evidence-based and provided by a qualified provider;

SECTION 5. Tennessee Code Annotated, Section 37-1-131(b)(1), is amended by deleting the last sentence.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.