

HOUSE BILL 904

By Windle

AN ACT to amend Tennessee Code Annotated, Title 36,
relative to grandparents' rights.

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

SECTION 1. Tennessee Code Annotated, Section 36-1-117(d), is amended by deleting the subsection and substituting instead the following:

(d)

(1) Except as provided in subdivision (d)(3), other biological or legal relatives of the child or the adult are not necessary parties to the proceeding and shall not be entitled to notice of the adoption proceedings unless they are legal guardians as defined in § 36-1-102 or legal custodians of the person of the child or adult at the time the petition is filed.

(2) The legal custodian of the child may only receive notice of the proceeding and may only present evidence as to the child's best interests.

(3) Notwithstanding this chapter to the contrary, a grandparent, as defined in § 36-6-306, of the child, who has maintained a significant existing relationship, as described in § 36-6-306, with the child must be a party to any proceeding to terminate the parental rights of that grandparent's child, including an adoption proceeding. The grandparent's rights to the child must be terminated by a court to authorize the court to order the adoption of the child or adult by other persons.

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it, and shall apply to petitions filed on or after that date.