

SENATE BILL 1359

By Yager

AN ACT to amend Tennessee Code Annotated, Title 37;
Title 39 and Title 49, relative to education of
children during an investigation.

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 30, is amended by adding the following language as a new section:

(a) As used in this section, "investigating agency" means the department of children's services or a law enforcement agency that is conducting a child abuse or child neglect investigation.

(b) A parent, guardian, or other legal custodian required to cause a child to attend school in accordance with § 49-6-3001 shall not withdraw, transfer, or in any way alter a child's current enrollment in school with intent to hinder an active child abuse or child neglect investigation.

(c) It is a defense to prosecution for an offense under this section that the parent, guardian, or legal custodian received written approval from the investigating agency that the change in enrollment is in the best interest of the child.

(d) An investigating agency conducting a child abuse or child neglect investigation that receives a request for approval to withdraw, transfer, or alter a child's enrollment in school must respond to the request within forty-eight (48) hours.

(e) A violation of subsection (b) is a Class A misdemeanor.

(f) A violation of subsection (b) is a Class E felony if the parent, guardian, or legal custodian takes the child out of state.

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it.