

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 54 – HB 122

February 17, 2019

SUMMARY OF ORIGINAL BILL: Clarifies that “reasonable visitation” ordered by a court in a petition for grandparent visitation must include at least two visits per month with the grandparent. Authorizes the court to order less frequent visitation if agreed to by the grandparent.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (004226): Deletes all language after the enacting clause. Establishes that if a child’s parent is deceased, and the grandparent seeking visitation is the parent of that deceased parent, then there is a rebuttable presumption that a child will be substantially harmed by the severe reduction of the relationship between the child and grandparent. Establishes that “reasonable visitation” ordered by a court in a petition for grandparent visitation is presumed to include at least two visits per month with the grandparent. Authorizes the court to order less frequent visits.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 36-6-306(c), in a petition for grandparent visitation, a grandparent is permitted reasonable visitation when a court finds the presence of a danger of substantial harm to a child and determines grandparent visitation would be in the best interests of the child.
- This legislation clarifies current law to establish that “reasonable visitation” must include at least two visits per month with the grandparent, unless the court orders less frequent visitation.
- Passage of this legislation will have no effect on policies or procedures of the Department of Children’s Services (DCS); therefore, any fiscal impact to DCS is considered not significant.

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- The proposed legislation will not result in a significant increase in caseloads for the state and local courts. Any increase in expenditures will be absorbed within existing state and local resources.

CERTIFICATION:

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

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/vlh