

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**HB 1426 – SB 1404**

March 7, 2019

**SUMMARY OF ORIGINAL BILL:** Expands the right to unimpeded telephone conversations entitled to a parent not in possession of a child, in regards to a court order pertaining to custody, to include the right to video chat with the child, if the technology is available to both the parent and the child. States that a parent is not required to purchase any device in order to allow the other parent to video chat with the child.

**FISCAL IMPACT OF ORIGINAL BILL:**

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (004869):** Deletes all language after the enacting clause. Establishes a preference and rebuttable presumption for joint custody or shared parenting in a suit for annulment, divorce or separate maintenance, but that the court has the widest discretion to order a custody arrangement in the best interest of the child. Requires custody orders other than for joint custody be based on written findings of fact and conclusions of law to the contrary. Requires any written finding of fact or conclusion of law to the contrary be included in the custody order.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumption for the bill as amended:

- Based on information provided by the Administrative Office of the Courts, the proposed legislation would 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.

Handwritten signature of Krista Lee Carsner in black ink.

Krista Lee Carsner, Executive Director

/vlh