

Amendment No. _____

Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 1910*

House Bill No. 2023

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

SECTION 1. Tennessee Code Annotated, Title 37, Chapter 1, Part 4, is amended by adding the following as a new section:

(a) A landlord or person in control of a residential rental property shall provide a case manager from the department of children's services or a child protective investigation team with information, if known, on the address or location of a child who has been alleged to be abused or neglected and resides or is located on the residential rental property.

(b) The landlord or person in control of a residential rental property is not liable in any civil or criminal action that is based solely upon cooperation with the investigation by the department of children's services or a child protective investigation team, except in cases of willful or wanton conduct or intentional wrongdoing.

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it.



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AMEND Senate Bill No. 2123*

House Bill No. 2418

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

SECTION 1. Tennessee Code Annotated, Section 32-2-111, is amended by deleting the section and substituting:

(a) After the expiration of one (1) year from the date of the decedent's death, a will when duly proven, whether of a resident or nonresident decedent, may be admitted to probate for the limited purpose of establishing a muniment of title to real and personal property, without the necessity of granting letters testamentary or otherwise proceeding with administration.

(b) To admit a will to probate for the limited purpose of establishing a muniment of title to real or personal property pursuant to subsection (a), a petition that is verified by at least one (1) of the executors or personal representatives named in the will must be filed with the court and include the following information and accompanying documents:

- (1) The identity of the petitioner;
- (2) The decedent's name; age, if known; date and place of death; and residence at the time of death;
- (3) A statement that the decedent died testate and the names and addresses of all attesting witnesses of the document or documents offered for probate for the limited purpose of establishing a muniment of title to real or personal property;
- (4) A statement of why a formal probate proceeding is not needed;



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(5) The document or documents offered to establish a muniment of title to real or personal property, or a copy thereof, as an exhibit to the petition;

(6) The name, relationship, and address of each devisee and legatee, and of those who would otherwise be entitled to the decedent's property under § 31-2-104, and the identification of a minor or other person under disability;

(7) A statement affirming that the petitioner is not aware of an instrument or proceeding that would revoke the document being offered to establish muniment of title for real or personal property;

(8) A sworn affidavit stating that all beneficiaries named in the will and all those otherwise entitled to the decedent's property under § 31-2-104 were mailed a copy of the petition by certified mail, return receipt requested; provided, that no notice is required if all beneficiaries and those otherwise entitled to the decedent's property under § 31-2-104 are co-petitioners in the petition seeking to admit the will to probate for the limited purpose of establishing muniment of title to real or personal property; and

(9)

(A) A waiver of claims against the estate from the bureau of TennCare;

(B) A statement from the bureau of TennCare indicating the bureau of TennCare has no claim against the estate; or

(C) A statement from the petitioner stating that four (4) years have passed since the date of the decedent's death.

(c)

(1) A petition to establish muniment of title to real or personal property may be filed prior to the expiration of one (1) year from the date of the decedent's death if the petitioner:

(A) Files a petition meeting the requirements in subsection (b);
and

(B) Provides proof of notice of the petition to all beneficiaries,
those otherwise entitled to the decedent's property under § 31-2-104,
known creditors, and the bureau of TennCare.

(2) In granting a petition to establish muniment of title to real or personal
property pursuant to this subsection (c), the court may place restrictions on the
transfer of property or sale proceeds to protect the interests of the beneficiaries,
heirs at law, creditors, and the bureau of TennCare.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

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AMEND Senate Bill No. 1878

House Bill No. 1919*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 37, Chapter 5, Part 4, is amended by adding the following as a new section:

37-5-407.

(a) Within seventy-two (72) hours of beginning to provide care for a child who was transported across state lines to enter the individual's care, and whose transport across state lines was not subject to the Interstate Compact on the Placement of Children, compiled in chapter 4, part 2 of this title, or the Interstate Compact for Juveniles, compiled in chapter 4, part 1 of this title, the individual shall provide to the department, in a form deemed appropriate by the department by rule, the child's:

- (1) Name;
- (2) Sex;
- (3) Height and weight;
- (4) Verifiable identifiers, if any;
- (5) Fingerprint sample;
- (6) Dental record or copy of the child's birth certificate;
- (7) Immunization record;
- (8) Photograph; and
- (9) List of relatives, if known, and their contact information.



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(b) At least ten (10) business days prior to the transport of a child as described in subsection (a) from the care of the individual to another individual or entity, the individual shall:

(1) Notify the department that the child will be transported; and

(2) Provide the department with information required by the department by rule.

(c) The department shall maintain the information described in subsections (a) and (b) in a database. The information in the database is not a public record and must be maintained as confidential by the department, except that the department shall provide access to the database to law enforcement and other individuals and entities as deemed appropriate by the department by rule and in accordance with applicable law.

(d) A violation of subsection (a) or (b) is a Class E felony.

(e) This section does not apply when a child is brought into, sent into, taken out of, or sent out of the state by a parent, stepparent, grandparent, or other natural or legal guardian of the child. The exemption in this subsection (e) does not apply if the child is in the legal custody of the federal government.

SECTION 2. Tennessee Code Annotated, Section 37-5-506(a), is amended by deleting the subsection and substituting:

(a)

(1) A child care agency, in placing a child with a private family or transporting the child to the care of an individual or entity, shall safeguard the child's welfare by conducting a thorough investigation of each applicant and the applicant's home and environment, carefully selecting the home in which the child is placed, and personally and adequately supervising each home and child until the child is legally adopted or for a period of one (1) year following the relinquishment of the child's care.

(2) The requirements of the investigation must be set out in rule by the department and include, at a minimum, an onsite inspection of the applicant's home prior to the transfer of care and a criminal history records check conducted on the applicant and all other adults residing in the applicant's home at the time of application.

(3) The child care agency shall maintain records from each investigation for a minimum of five (5) years following the placement or transport of the child. The records must be made available to the department upon request.

SECTION 3. Tennessee Code Annotated, Section 37-5-513(a), is amended by deleting the subsection and substituting:

(1) It is the duty of the department, through its duly authorized agents, to inspect at regular intervals, without previous notice, all child care agencies or suspected child care agencies, including, but not limited to, individuals suspected of violating § 37-5-407.

(2) During an inspection of a child care agency or suspected child care agency pursuant to this section, the department shall interview all children on site who were transported across state lines to enter the agency's care and whose transport across state lines was not subject to the Interstate Compact on the Placement of Children, compiled in chapter 4, part 2 of this title, or the Interstate Compact for Juveniles, compiled in chapter 4, part 1 of this title.

SECTION 4. If a provision of this act or its application to a person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 5. The department of children's services shall promulgate emergency rules within seventy-five (75) days of the effective date described in SECTION 6(a). The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 6.

(a) For purposes of establishing the database described in § 37-5-407(c) in SECTION 1 and promulgating rules to effectuate this act, this act takes effect upon becoming a law, the public welfare requiring it.

(b) For all other purposes, this act takes effect July 1, 2022, the public welfare requiring it.

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AMEND Senate Bill No. 2182*

House Bill No. 2354

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

SECTION 1. This act is known and may be cited as "Noah's Law."

SECTION 2. Tennessee Code Annotated, Title 36, Chapter 6, Part 1, is amended by adding the following as a new section:

(a) If a custody, parentage, child support, or dependency and neglect proceeding is pending before a court and the noncustodial parent fails to return the child to the custodial parent in accordance with the current visitation order or parenting plan, then the custodial parent may, after reporting the child missing to a law enforcement agency, file a motion with the court seeking an emergency order declaring the child to be in imminent danger of serious bodily injury or death and ordering the noncustodial parent to return the child.

(b) The court may issue an order declaring the child to be in imminent danger of serious bodily injury or death and ordering the noncustodial parent to return the child to the custodial parent immediately if the court finds:

(1) The custodial parent and the noncustodial parent are parties in a custody, parentage, support, or dependency and neglect matter currently pending before the court;

(2) The noncustodial parent failed to return the child to the custodial parent on the date and time specified in the current visitation order or parenting plan;



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(3) The custodial parent has reported the child as missing to a law enforcement agency;

(4) At least forty-eight (48) hours have passed since the noncustodial parent was to have returned the child to the custodial parent under the current visitation order or parenting plan; and

(5) The noncustodial parent has:

(A) Failed to contact the custodial parent within the past forty-eight (48) hours; or

(B) Has failed to return the child to the custodial parent.

(c) If a judge enters an order pursuant to this section, then the clerk of the court shall immediately send, via electronic mail, a copy of the order to the law enforcement agency investigating the report of the missing child.

(d) This section does not modify the discretion of a law enforcement agency to investigate a report of a missing child, notify local media about a missing child, or issue any form of missing child alert.

(e) As used in this section, "custodial parent" means the parent with whom the child resides more than fifty percent (50%) of the time.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.