

CHAPTER NO. 979

SENATE BILL NO. 2949

By Black, Burks

Substituted for: House Bill No. 2530

By Sherry Jones

AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 6, relative to child custody.

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

SECTION 1. Tennessee Code Annotated, Section 36-6-101(a)(2)(A), is amended by designating the current language as subdivision (i) thereof and by inserting the following as a new, appropriately designated subdivision thereof:

(ii) If it is determined by the court, based upon a prior order or reliable evidence, that a parent has willfully abandoned a child for a period of eighteen (18) months, as the term is used in § 36-6-406(a)(1), then unless the court finds by clear and convincing evidence to the contrary, the abandoning parent's residential time, as provided in the permanent or temporary parenting plan or other court order, shall be limited. This subdivision shall not be construed to prevent such a parent from being granted limited visitation with the child. Nothing in this subdivision shall be construed to apply to children in the legal custody of the Department of Children's Services.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.

PASSED: May 27, 2006

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 27<sup>th</sup> day of June 2006

  
PHIL BREDESEN, GOVERNOR