

CHAPTER NO. 697

SENATE BILL NO. 2792

By Rochelle

Substituted for: House Bill No. 2124

By Bone

AN ACT To amend Tennessee Code Annotated, Title 36, Chapter 3, Part 6; Title 39, Chapter 11, Part 1 and Title 71, Chapter 6, Part 2, relative to domestic violence.

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

SECTION 1. Tennessee Code Annotated, Section 71-6-201, is amended by deleting this section in its entirety and substituting instead the following:

Section 71-6-201. (a) There is hereby established a program for the establishment and funding of family violence shelters and shelter services and child abuse prevention services. The program for the establishment of family violence shelters and shelter services shall be administered by the Department of Finance and Administration. The program for the establishment of child abuse prevention services shall be administered by the Department of Children's Services. Any reference to the Department of Human Services in any existing statute, regulation, executive order, or contract relating to the administration of these programs shall be deemed to be a reference to the department which has jurisdiction over these programs pursuant to this section. This section does not change the agencies designated to receive certain reports under Section 71-6-204.

(b) Funding for such programs shall be limited to the amounts provided in the General Appropriations Act.

SECTION 2. Tennessee Code Annotated, Section 71-6-203, is amended by deleting this section in its entirety and substituting instead the following:

Section 71-6-203. In administering these programs, the department with authority over each program:

(1) Shall divide all funds received under this part equally, with fifty percent (50%) of the funds to be allocated to the Department of Finance and Administration for family violence shelters and shelter services and fifty percent (50%) to be allocated to the Department of Children's Services for child abuse prevention services, unless the statute or appropriations bill allocating the funds provides otherwise;

(2) Shall, in disbursing funds received under this part for child abuse prevention services, give priority, where possible, to services for those children at risk because they reside in households where family violence occurs;

(3) In order to assure that funds are distributed statewide, may not disburse more than fifty thousand dollars (\$50,000) from state funds provided under this part to any one (1) shelter service or child abuse prevention service in one (1) fiscal year, unless the responsible department finds that exceeding the fifty thousand dollar (\$50,000) guideline is warranted by the availability of funds, the area served by the provider, or the best interests of the citizens served by the program;

(4) Shall accept federal funds that may be available for use in carrying out the provisions of this part and may use state funds, in addition to funds generated under this part, as matching funds for federal funds if matching funds are required;

(5) Shall assure, to the extent feasible, that any funds allocated under this part shall be used to provide services in addition to those already provided by the department;

(6) May expend only those actual amounts reasonably necessary for administration of the funds provided under this part;

(7) Shall promulgate rules and regulations in accordance with the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5, necessary to carry out the purposes of this part related to the programs under its jurisdiction. Each department may, upon recommendation of its advisory committee, establish standards for operation of the services, including establishment of a timetable for application and disbursement of funds;

(8) Shall require an annual report from each service funded which shall include, in addition to all information required by the department, statistics on the number of persons requesting service, the number of persons served, the type of service rendered and a description of the social and economic characteristics of the person served and the number and type of referrals, including medical, legal and education services, made to other community resources. No information contained in the report shall identify any person served or enable any person to determine the identity of such a person;

(9) Shall establish an advisory committee, which shall review all program criteria adopted by each department and advise the commissioner relative to the allocation of funds under this part. Such committee members will be appointed by the commissioner of the department with consent and approval of the Governor. Each committee member shall be selected for a four-year term and may be selected to serve successive terms. However, the commissioner, with consent and approval of the Governor, may appoint any member of the current committee previously appointed by the Commissioner of Human Services to a new committee created by this section. Committee members shall be reimbursed for their actual expenses in attending meetings, with the travel expenses to be reimbursed in accordance with the provisions of the comprehensive travel regulations promulgated by the Department of Finance and Administration and approved by the Attorney General and Reporter. These advisory committees may be made subcommittees of the Social Services Advisory Committee.

(A) The Committee on Child Abuse Prevention Services shall consist of six members, including one (1) former client of the child abuse prevention service.

(B) The Committee on Family Violence Shelters shall consist of five members, one (1) of which should be a former client of the family violence shelter. At least one (1) of the members selected to serve on the committee may be chosen by the department from a list of nominees submitted by the Tennessee Coalition Against Domestic and Sexual Violence.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.

PASSED: April 24, 2002


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 1st day of May 2002


DON SUNDQUIST, GOVERNOR