

CHAPTER NO. 231

SENATE BILL NO. 1279

By McNally, Henry

Substituted for: House Bill No. 875

By Russell Johnson, Crider, Briley, Gresham, Clem, Coleman, Hensley

AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 1, Part 1, relative to adoption.

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

SECTION 1. Tennessee Code Annotated, Section 36-1-102(1)(A)(i), is amended by inserting the language "have willfully failed to" between the language "support or" and "make".

SECTION 2. Tennessee Code Annotated, Section 36-1-102(1)(A)(iv), is amended by inserting the language "has willfully failed to" between the language "support or" and "make".

SECTION 3. Tennessee Code Annotated, Section 36-1-102(1)(A)(v)(D), is amended by deleting the language after "means" and substituting instead the language:

the willful failure, for a period of four (4) consecutive months, to provide monetary support or the willful failure to provide more than token payments toward the support of the child;

SECTION 4. Tennessee Code Annotated, Section 36-1-102(26), is amended by deleting the language "six (6) months" and substituting the language "one (1) year".

SECTION 5. Tennessee Code Annotated, Section 36-1-106(c), is amended by adding the following new sentence at the end of the subsection:

Further, no consultation of the putative father registry maintained by the department shall be required, and the affidavits otherwise required by §36-1-120(b)(1) and (2) need not be filed if the attorney, social worker, or child-placing agency, as the case may be, which provided professional services in the underlying foreign adoption, does not maintain an office in the United States.

SECTION 6. Tennessee Code Annotated, Section 36-1-109(a)(1)(B)(i), is amended by inserting the word "food," between the language "housing," and "maternity clothing" and by deleting the language "thirty (30)" and substituting instead the language "forty-five (45)".

SECTION 7. Tennessee Code Annotated, Section 36-1-111(d)(3), is amended by inserting the word "calendar" after the language "three (3)".

SECTION 8.

SECTION 9. Tennessee Code Annotated, Section 36-1-113(d)(3)(A)(i), is amended by deleting the language "three (3)" and substituting instead the language "ten (10)".

SECTION 10. Tennessee Code Annotated, Section 36-1-113(g)(9)(A), is amended by adding the language ", at the time of the filing of a petition to terminate the parental rights of such person or, if no such petition is filed, at the time of the filing of a petition to adopt a child," between the language "person who" and "is not" and by deleting the word "a" before the word "child" and inserting the word "such" in its place.

SECTION 11. Tennessee Code Annotated, Section 36-1-116(b)(13)(A), is amended by deleting the language "three (3)" and substituting the language "ten (10)".

SECTION 12. Tennessee Code Annotated, Section 36-1-116(f)(2), is amended by inserting the language "or visitation with the child" between the language "guardianship of the child" and "who is in the physical custody".

SECTION 13. Tennessee Code Annotated, Section 36-1-116(h), is amended by deleting the language "Uniform Child Custody Jurisdiction Act (UCCJA)" and substituting instead the language "Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)".

SECTION 14. Tennessee Code Annotated, Section 36-1-117(b)(6), is amended by deleting the language "Uniform Child Custody Jurisdiction Act (UCCJA)" and substituting instead the language "Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)".

SECTION 15. Tennessee Code Annotated, Section 36-1-120, is amended by adding a new, appropriately designated subsection:

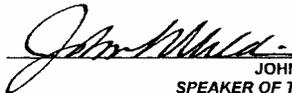
(h) Notwithstanding the sealing and confidentiality of adoption records pursuant to this part, the clerk of the court in which adoption proceedings have occurred, upon being furnished verification of the identity of the requesting person, shall furnish to the adopted person, adoptive parents or their attorney(s), upon their request at any time, certified copies of the final order of adoption or re-adoption or final orders dismissing such adoption proceedings. Nothing other than certified copies of the final order of adoption or re-adoption or final order dismissing such adoption proceedings shall be released pursuant to this subsection.

SECTION 16. Tennessee Code Annotated, Section 36-1-133, is amended by adding the following as a new, appropriately designated subsection:

(d) For the purpose of providing full disclosure about a child to be adopted, the department shall provide the same information described in subdivisions (b)(1) through (7) to prospective adoptive parents with respect to any child or children the prospective adoptive parents are seeking to adopt.

SECTION 17. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 15, 2003


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 2nd day of June 2003


PHIL BREDESEN, GOVERNOR