

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 620 - HB 1414

March 24, 2023

SUMMARY OF BILL: Creates the *Families' Rights and Responsibilities Act*, which states that it is a parent's fundamental right to direct the upbringing, education, health care, and mental health of their child without any substantial burden from the state, another governmental entity, or any institution.

Requires each local board of education and governing body of a public charter school to allow a parent to withdraw their child from any instruction on specific materials, clubs or extracurricular activities, that questions or goes against the parent's belief, morality, or religion, and to obtain a parent's consent before any instruction on sexual education or before using a name or nickname other than their child's legal name or before a child uses a pronoun that does not align with the child's sex. Requires each local board of education and governing body of a public charter school to develop and adopt a policy to promote the involvement of parents, and establishes a protocol for parents to submit a request for information and for schools to either deliver the information or the reasons for denial.

Requires the consent of a parent of a child be given before procuring, soliciting to perform, arranging for the performance of, providing a referral for, or performing medical treatment or evaluation to a child, except if a situation where an emergency exists.

Authorizes a parent to bring suit for any violations of the Act, regardless of if they have sought or exhausted available administrative remedies. Removes all governmental and qualified immunities to suit and from liability created in the Act.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- According to the Act, substantial burden is defined as an action that directly or indirectly constrains, inhibits, curtails, or denies the right of a parent to direct the upbringing of their child or compels an action contrary to the right of a parent to direct the upbringing.
- Developing and adopting a parent involvement policy can be accomplished without a significant increase in expenditures for the Department of Education or local school districts.
- The

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- Act may increase expenditures related to litigation costs and attorney's fees for school districts or other state agencies; however, it cannot be reasonably estimated to what extent, if any, expenditures may increase.
- Any increase in court proceedings can be managed within existing court resources and will therefore not have a significant fiscal impact.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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