

HOUSE BILL 477

By Rogers

AN ACT to amend Tennessee Code Annotated, Title 37 and Title 49, relative to children who have been adjudicated delinquent.

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

SECTION 1. Tennessee Code Annotated, Section 37-1-131(a), is amended by adding the following subdivision:

(8) Placing a no contact order on the child to prohibit the child from having contact in any way with the victim of the delinquent act;

SECTION 2. Tennessee Code Annotated, Title 37, Chapter 1, Part 1, is amended by adding the following new section:

37-1-136.

If the court enters a no contact order, pursuant to § 37-1-131, prohibiting a child who has been adjudicated delinquent from contacting the victim of the delinquent act and the victim attends the same school that the child attends, the court shall send by return receipt requested mail a copy of the no contact order to the principal of the school. The child shall not be permitted to attend the same school that the victim attends when a no contact order has been issued, unless the victim and the victim's parents consent in writing to the child's return to school.

SECTION 3. Tennessee Code Annotated, Title 49, Chapter 6, Part 30, is amended by adding the following new section:

49-6-3052.

(a) If the juvenile court enters a no contact order, pursuant to § 37-1-131, prohibiting a child who has been adjudicated delinquent from contacting the victim of the delinquent act and the victim attends the same school that the child attends, the court

shall send by return receipt requested mail a copy of the no contact order to the principal of the school. The child shall not be permitted to attend the same school that the victim attends when a no contact order has been issued, unless the victim and the victim's parents consent in writing to the child's return to school.

(b) If the parties required by subsection (a) do not consent to the child's return to school, the child's principal, the director of schools for the district in which the child attends school and the child's parents shall determine an appropriate alternative school for the child to attend for the duration of the no contact order. In no event shall a child be delayed from attending school for more than five (5) school days.

(c) At the request of the victim of the delinquent act and the victim's parents, the director of schools shall permit the victim to attend a different school within the LEA and allow the child who committed the delinquent act to return to the child's previous school.

SECTION 4. This act shall take effect July 1, 2013, the public welfare requiring it.