

HOUSE BILL 516

By Jones

AN ACT to amend Tennessee Code Annotated, Title 3 and Title 37, relative to the department of children's services oversight committee.

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

SECTION 1. Tennessee Code Annotated, Title 3, Chapter 15, is amended by adding the following sections as a new Part 2:

3-15-201.

(a) There is created the department of children's services oversight committee. The committee shall consist of eighteen (18) members. Nine (9) senators shall be appointed by the speaker of the senate. Nine (9) representatives shall be appointed by the speaker of the house of representatives. Each member appointed shall have a desire to serve on the committee and be committed to improving the lives of Tennessee's children by the member's commitment to the law as stated in § 37-5-102 that "the best interest of the child" and the child's safety are paramount. During the organizational session of each general assembly, the respective speakers shall reappoint or appoint members to serve on the committee. Any vacancies occurring on the committee, between organizational sessions, shall be filled by the respective speakers in accordance with the guidelines established in this subsection (a).

(b)

(1) The oversight committee shall meet at least eight (8) times per year and at the call of the chair. Members of the oversight committee shall be entitled to reimbursement for their expenses in attending meetings of the committee or

any subcommittee thereof at the same rates and in the same manner as when attending the general assembly.

(2) The committee shall elect from its membership a chair, a vice chair, and such other officers as it deems necessary.

3-15-202.

The department of children's services oversight committee is authorized to:

(1) Create subcommittees related to its purposes;

(2) Request standing committees of the general assembly, the fiscal review committee, and any agencies or entities of state government to study and report on designated policy matters relating to children and youth;

(3) Conduct such meetings and public hearings in Nashville and across the state as shall be necessary;

(4) Employ committee staff, including an executive director, subject to the availability of funding for such purpose. The executive director shall have social services experience, child welfare experience, and should have experience in a position equal to that of an executive director;

(5) Enter into contracts for technical or professional services, subject to the availability of funding for such purpose, the speaker of the senate and the speaker of the house of representatives to jointly:

(A) Determine the qualifications and task or job descriptions of any consultant or other person contracted for services; and

(B) Select any such consultant or other person on behalf of the committee;

(6) Promote interagency cooperation and policy continuity with respect to state initiatives to benefit children and youth;

(7) Provide, on behalf of the general assembly, planning and programmatic assistance to the southern legislators' conference on children and youth;

(8) Undertake appropriate actions to inform state and local officials, and the public at large, of innovative and effective model programs for children, youth, and their families; and

(9) Perform other duties as requested by joint resolution of the general assembly.

3-15-203.

The department of children's services oversight committee shall timely publish a report following the conclusion of any regular annual session occurring in an even-numbered year, which summarizes the committee's activities, findings, recommendations, and proposals. A copy of the report shall be distributed to each member of the general assembly.

3-15-204.

It is the duty of the department of children's services oversight committee to:

(1) Review current state policies on children and youth as reflected by Tennessee statutes, regulations, programs, services, budgetary priorities, and provide oversight;

(2) Study the many problems which jeopardize the development, well being, and lives of Tennessee children and youth, including, but not limited to, such persistent, interdisciplinary problems as teen pregnancy, educational underachievement, youth employment, alcohol and drug abuse, delinquency, emotional illness, birth defects, day care, homelessness, child abuse, the growing impoverishment of childhood and adolescence, child sexual abuse, and humane trafficking of minors;

(3) Define and establish the components, guidelines, and objectives of a comprehensive state policy to ensure and promote present and future health, welfare, and opportunity for all of Tennessee's children and youth;

(4) Identify any Tennessee laws, regulations, programs, services, and budgetary priorities which conflict with the components, guidelines, and objectives of such comprehensive policy;

(5) Review any contracted service agreement and the ability and effectiveness of department of children's services contractors and their services;

(6) Search for any interdepartmental gaps, inconsistencies, and inefficiencies in the implementation or attainment of such comprehensive policy;

(7) Identify any new laws, regulations, programs, services, and budgetary priorities which are needed to ensure and promote present and future health; including physical, mental and emotional health; welfare; and opportunity for all of the state's children and youth;

(8) Serve as an in-house informational resource for all members and committees of the general assembly on legislative policy matters concerning children and youth; and

(9) Perform such other activities as are reasonably related to the legislative intent of this part, including, but not necessarily limited to, improving public awareness of the special needs of Tennessee children and youth.

3-15-205.

(a) The commissioner of education shall report at least twice each year to a meeting of the oversight committee concerning the performance of duties and responsibilities assigned by this section and § 49-1-520 concerning funding recommendations.

(b) The commissioner of children's services shall report at least five (5) times each year, and as may be called upon by the committee or subcommittee thereof, concerning the performance of duties and responsibilities assigned by law to the department of children's services.

3-15-206.

In view of the continuing need for legislative oversight of programs and services for children and their families, emphasized by recent concerns regarding the foster care program and the child protective services system, the department of children's services oversight committee shall continue to perform legislative oversight as provided in this chapter, notwithstanding any other law to the contrary. This section shall not be construed or implemented in any way to prohibit or restrict appropriate review, inquiry or oversight of the department of children's services by any other standing, special or statutory committee of the general assembly.

3-15-207.

The general assembly declares an urgent need to thoroughly study all relevant issues pertaining to the child protective services system. The department of children's services oversight committee shall study the effectiveness of the child protective services system in this state and develop recommendations for its improvement. The oversight committee is authorized to obtain consultation and receive advisement in this effort.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

it.