

HOUSE BILL 870

By DeBerry

AN ACT to amend Tennessee Code Annotated, Title 37,  
relative to child abuse investigations.

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

SECTION 1. Tennessee Code Annotated, Section 37-1-406, is amended by designating the existing subsection (a) as subdivision (a)(1) and adding the following new subdivision (a)(2):

(2) When the department receives a report of child abuse or brutality from a person tasked with the education, health, or welfare of the child, and the report indicates the child is currently at risk for further harm, the department shall immediately commence a local investigation, regardless of the time of day or night, by making physical contact with the child. The child's physical safety is to be given the greatest protection possible. Upon making physical contact with the child, the investigator shall:

- (A) Physically assess the child and document any injuries, old and new;
- (B) Assess the child's level of safety, specifically asking whether the alleged perpetrator will have access to the child after the initial interview;
- (C) Develop and implement a safety plan with the child unless the child is too young to participate;
- (D) Determine whether the child, the child's siblings, or the current alleged perpetrator has a history with the department;
- (E) Communicate the referral to local law enforcement and the juvenile court judge within twenty-four (24) hours of the commencement of the investigation; and
- (F) Present the results of the investigation to the child protective team.

SECTION 2. Tennessee Code Annotated, Section 37-5-124(a), is amended by deleting the language "representing the child." and substituting instead the language "representing the child, and to the district attorney for the judicial district where the child is found."

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