

HOUSE BILL 1531

By McCormick

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

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

SECTION 1. Tennessee Code Annotated, Section 36-1-111(j), is amended by deleting the subsection and substituting the following:

(j) In cases where the person executing surrender is incarcerated in a state or federal penitentiary, the surrender may be executed before the warden or deputy warden of the penitentiary or a notary public.

SECTION 2. Tennessee Code Annotated, Section 36-1-102, is amended by adding the following new, appropriately designated subdivision:

() "Putative father" means a biological or alleged biological father of a child who, 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, meets at least one (1) of the criteria set out in § 36-1-117(c) and is not a legal parent;

SECTION 3. Tennessee Code Annotated, Section 36-1-117, is amended by deleting the language "putative biological father" wherever it appears and substituting instead the language "putative father".

SECTION 4. Tennessee Code Annotated, Section 36-1-102(28), is amended by adding a new, appropriately designated subdivision:

If the presumption of paternity set out in subdivisions (28)(A)(ii)-(iv) is rebutted as described in § 36-2-304, the man shall no longer be a legal parent for purposes of this chapter and no further notice or termination of parental rights shall be required as to this person.

SECTION 5. Tennessee Code Annotated, Section 36-1-113(g)(9)(A), is amended by deleting the language:

The parental rights of any person who, 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, is not the legal parent or guardian of such child or who is described in §36-1-117(b) or (c) may also be terminated based upon any one (1) or more of the following additional grounds:

and substituting instead the language:

The parental rights of any person who, 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, is the putative father of the child may also be terminated based upon any one (1) or more of the following additional grounds:

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.