

SENATE BILL 957

By Lamar

AN ACT to amend Tennessee Code Annotated, Title 37,
relative to juveniles.

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

SECTION 1. Tennessee Code Annotated, Section 37-1-137, is amended by deleting subdivision (b)(1) and substituting:

(1) Subject to subsection (c), a delinquent child committed to the custody of the department for an indefinite time must be discharged or placed on home placement supervision when the department determines that such discharge or placement is warranted by the child's response to evidence-based services and programs addressing a treatment need identified by the previously administered validated risk and needs assessment, unless:

(A) The child is alleged to have committed a new delinquent act; or

(B) The child is alleged to be an escapee from a secure juvenile facility or institution.

SECTION 2. Tennessee Code Annotated, Section 37-1-137, is amended by deleting subdivision (f)(3)(B) and substituting:

(B) A child placed in the custody of the department under this subdivision (f)(3) must remain in custody so long as necessary to receive the treatment or services, which must be evidence-based and provided by a qualified provider.

SECTION 3. Tennessee Code Annotated, Section 37-1-132, is amended by deleting subdivision (b)(1)(B)(ii) and substituting:

(ii) A child placed in the custody of the department under this subdivision (b)(1)(B) must remain in custody so long as necessary to receive the treatment or services, which must be evidence-based and provided by a qualified provider.

SECTION 4. Tennessee Code Annotated, Section 37-1-132, is amended by deleting subdivision (b)(5) and substituting:

(5) Subject to subdivision (b)(6), an unruly child committed to the department under subdivision (b)(1)(A) for an indefinite time must be discharged or placed on home placement supervision when the department determines that such discharge or placement is warranted by the child's response to evidence-based services and programs addressing a treatment need identified by the previously administered validated risk and needs assessment, unless:

(A) The child is alleged to have committed a new delinquent act; or

(B) The child is alleged to be an escapee from a secure juvenile facility or institution.

SECTION 5. Tennessee Code Annotated, Section 37-1-132, is amended by deleting subdivision (c)(5)(C)(ii) and substituting:

(ii) A child placed in the custody of the department under this subdivision (c)(5)(C) must remain in custody so long as necessary to receive the treatment or services, which must be evidence-based and provided by a qualified provider.

SECTION 6. Tennessee Code Annotated, Section 37-1-131, is amended by deleting subdivision (a)(2)(A)(v)(c)(2) and substituting:

(2) A child placed in the custody of the department under this subdivision (a)(2)(A)(v)(c) must remain in custody so long as necessary to receive the treatment or services, which must be evidence-based and provided by a qualified provider;

SECTION 7. Tennessee Code Annotated, Section 37-1-131, is amended by deleting subdivision (a)(4)(B)(iii)(b) and substituting:

(b) A child placed in the custody of the department under this subdivision (a)(4)(B)(iii) must remain in custody so long as necessary to receive the treatment or services, which must be evidence-based and provided by a qualified provider;

SECTION 8. This act takes effect July 1, 2023, the public welfare requiring it, and applies to children committed to the custody of the department on or after that date.