



State of Tennessee
PUBLIC CHAPTER NO. 385

SENATE BILL NO. 749

By Massey, Ford, Campfield

Substituted for: House Bill No. 693

By Farmer, Hawk, Harry Brooks

AN ACT to amend Tennessee Code Annotated, Title 33; Title 36 and Title 37, relative to custody determinations involving disabled parents.

WHEREAS, the Tennessee General Assembly finds that thousands of Tennesseans are disabled as the result of disease, accident, injuries sustained in the service of our country, genetic causes, or congenital defects; and

WHEREAS, the General Assembly further finds that Tennesseans with disabilities have contributed in no small manner to the prosperity and welfare of the State of Tennessee in the practice of various professions, in the arts, in business, in the sciences, as teachers and instructors, and as parents and caregivers to countless children in this State; and

WHEREAS, the General Assembly further finds and concludes that strong and healthy families are the foundation of an orderly and prosperous society; and

WHEREAS, it is the policy of the State of Tennessee to foster the growth and preservation of strong and healthy families in Tennessee; and

WHEREAS, the General Assembly finds that Tennesseans with disabilities have suffered invidious discrimination in child welfare and custody proceedings throughout this State on account of such disability; and

WHEREAS, it is the policy of the State of Tennessee that no citizen of this State shall suffer discrimination from any child welfare agency or in any custody proceeding solely because of such person's disability; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Section 36-6-106, is amended by adding the following as a new subsection:

(e) The disability of a parent seeking custody shall not create a presumption for or against awarding custody to such a party but may be a factor to be considered by the court.

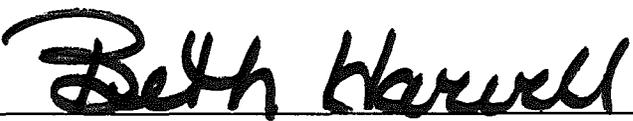
SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

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PASSED: April 17, 2013

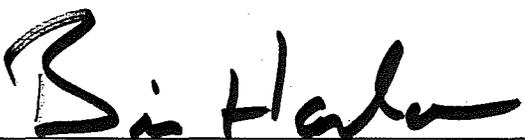


RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 14th day of May 2013



BILL HASLAM, GOVERNOR