



State of Tennessee

PUBLIC CHAPTER NO. 668

HOUSE BILL NO. 2052

By Representative Terry

Substituted for: Senate Bill No. 2071

By Senators Overbey, Ketron

AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 5, Part 30, relative to transfer of support or custody cases.

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

SECTION 1. Tennessee Code Annotated, Section 36-5-3003(a) and (b), are amended by deleting the subsections in their entirety and substituting instead the following:

(a)

(1) Except as provided in § 36-5-3001(b), a case that includes child support or custody provisions may be transferred between counties in this state without the need for any additional filing by the party seeking transfer by the filing of a request by the requesting party if:

(A) The requesting party has served the non-requesting party with the filing seeking the transfer; and

(B) The non-requesting party has not filed an objection within fifteen (15) days from the date the notice of the filing was mailed.

(2) If the non-requesting party files an objection pursuant to subdivision (a)(1)(B), the objection shall be in the form of a motion for review of the request in the transferor court. If an objection has been filed, the transferor court shall determine whether there is good cause for the transfer. If the court finds good cause for the transfer, it shall transfer the case.

(b) Upon receipt of a request, the case must be transferred by the clerk of the issuing court, without order of the court, to a court of competent jurisdiction in the county where the child or children reside if each of the following applies:

(1) Neither the child or children, custodial parent/obligee, nor the non-custodial parent/obligor currently reside in the issuing county;

(2) The child or children who are subject to the support or custody order currently reside in the county to which the case is to be transferred and have resided there for at least six (6) months; and

(3) No objection has been filed pursuant to subdivision (a)(2).

SECTION 2. Tennessee Code Annotated, Section 36-5-3004, is amended by deleting the language "must" in the first sentence and substituting instead the language "may".

SECTION 3. This act shall take effect July 1, 2016, the public welfare requiring it, and shall apply to requests for transfer filed on or after that date.

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PASSED: March 16, 2016



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 31st day of March 2016



BILL HASLAM, GOVERNOR