



State of Tennessee

PUBLIC CHAPTER NO. 1062

SENATE BILL NO. 2190

By Crowe, Kelsey, Johnson, Tate

Substituted for: House Bill No. 2030

By Faison

AN ACT to amend Tennessee Code Annotated, Title 34, Chapter 1; Title 34, Chapter 3 and Title 71, Chapter 6, Part 1, relative to conservatorship arrangements.

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

SECTION 1. This act shall be known and may be cited as the "Campbell/Falk Act."

SECTION 2. Tennessee Code Annotated, Section 34-3-107(a)(2), is amended by adding the following new subdivision (P):

(P) The right to communication, visitation, or interaction with other persons, including the right to receive visitors, telephone calls, or personal mail;

SECTION 3. Tennessee Code Annotated, Section 34-3-108, is amended by adding the following new subsection (f):

(f) Any person listed in § 34-3-103(1)-(4) may petition the court to require the conservator to grant any of the rights provided in § 34-3-107(a)(2)(P). The prevailing party in a petition under this subsection (f) shall be entitled to court costs and reasonable attorney fees.

SECTION 4. Tennessee Code Annotated, Section 34-3-107, is amended by adding the following as a new subsection:

(c) If a respondent is unable to express consent to communication, visitation, or interaction with a person due to a physical or mental condition, then consent of the respondent may be presumed based on the respondent's prior relationship history with the person.

SECTION 5. This act shall take effect upon becoming law, the public welfare requiring it.

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PASSED: April 21, 2016



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 16th day of May 2016



BILL HASLAM, GOVERNOR