



HOUSE BILL 1692

By Reneau

AN ACT to amend Tennessee Code Annotated, Title 36
and Title 37, relative to adoption.

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

SECTION 1. Tennessee Code Annotated, Section 36-1-116(a)(1), is amended by deleting the language "provided, that the court may waive this requirement when the child is to be adopted by related persons" and substituting:

provided, that the court may waive this requirement when the child is to be adopted by related persons or the child has already resided in the home of the petitioners for six (6) months

SECTION 2. Tennessee Code Annotated, Section 36-1-116(e)(1), is amended by deleting the language "for prospective adoptive parents who are related to the child" and substituting:

for prospective adoptive parents who are related to the child or in whose home the child has already resided for six (6) months

SECTION 3. Tennessee Code Annotated, Section 36-1-119(a), is amended by deleting the language "Unless the child is related to the petitioners" and substituting the language "Unless the child is related to the petitioners or has already resided in the home of the petitioners for six (6) months".

SECTION 4. Tennessee Code Annotated, Section 36-1-119(c), is amended by adding the following new subdivision:

(3) If the child has already resided in the home of the petitioners for six (6) months, the court has received the final court report concerning the circumstances of the child and the petitioners, and the court is satisfied that the adoption will be in the best

interest of the child, then the court may waive the preliminary home study, home study, and six-month waiting period after the filing of the adoption petition and may enter an order of adoption.

SECTION 5. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB1692

Farmer
Signature of Sponsor

AMEND Senate Bill No. 1751

House Bill No. 1692*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 36-1-116(a), is amended by adding the following as a new subdivision:

(4)

(A) The court may waive the requirement for a home study in an adoption when the prospective adoptive parent or parents are not related to the child if:

(i) The child has resided in the home of the prospective adoptive parent or parents for at least twelve (12) months;

(ii) The prospective adoptive parent or parents were granted custody of the child pursuant to a final order entered by a court of competent jurisdiction following a full adjudication on the merits; and

(iii) The petition to waive the home study includes:

(a) A current criminal history background check conducted through the Tennessee bureau of investigation; and

(b) A current search of the Tennessee sexual offender and violent sexual offender registry.

(B) The court must enter a written order making specific findings to support a determination that waiving the home study is in the best interest of the child.

(C) This subdivision (a)(4) does not require a court to waive a home study. The decision to waive a home study remains within the sound discretion of the court.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.