



**State of Tennessee**  
**PUBLIC CHAPTER NO. 402**

**SENATE BILL NO. 509**

**By Faulk, Ford**

Substituted for: House Bill No. 570

By Dennis, Hardaway, Parkinson

AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 3, Part 6, relative to orders of protection.

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

SECTION 1. Tennessee Code Annotated, Section 36-3-617, is amended by deleting subsection (a) and substituting instead the following:

(a)(1) Notwithstanding any other law to the contrary, no domestic abuse victim, stalking victim or sexual assault victim shall be required to bear the costs, including any court costs, filing fees, litigation taxes or any other costs associated with the filing, issuance, registration, service, dismissal or nonsuit, appeal or enforcement of an ex parte order of protection, order of protection, or a petition for either such order, whether issued inside or outside the state. If the court, after the hearing on the petition, issues or extends an order of protection, all court costs, filing fees, litigation taxes and attorney fees shall be assessed against the respondent.

(2) If the court does not issue or extend an order of protection, the court may assess all court costs, filing fees, litigation taxes and attorney fees against the petitioner if the court makes the following finding by clear and convincing evidence:

(a) The petitioner is not a domestic abuse victim, stalking victim or sexual assault victim and that such determination is not based on the fact that the petitioner requested that the petition be dismissed, failed to attend the hearing or incorrectly filled out the petition; and

(b) The petitioner knew that the allegation of domestic abuse, stalking, or sexual assault was false at the time the petition was filed.

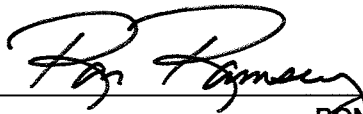
SECTION 2. Tennessee Code Annotated, Section 36-3-606(a), is amended by adding the following new, appropriately numbered subdivision:

( ) Directing the respondent to pay the petitioner all costs, expenses and fees pertaining to the petitioner's breach of a lease or rental agreement for residential property if the petitioner is a party to the lease or rental agreement and if the court finds that continuing to reside in the rented or leased premises may jeopardize the life, health and safety of the petitioner or the petitioner's children. Nothing in this subdivision shall be construed as altering the terms of, liability for, or parties to such lease or rental agreement.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: May 21, 2011

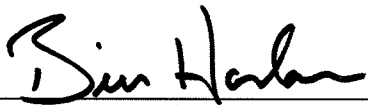


RON RAMSEY  
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 6 day of June 2011



BILL HASLAM, GOVERNOR