

**RULES  
OF  
DEPARTMENT OF FINANCE AND ADMINISTRATION  
DIVISION OF CRIMINAL JUSTICE**

**CHAPTER 0620-03-11  
DISPOSITION OF FORFEITURES  
IN CHILD ABUSE CASES**

**TABLE OF CONTENTS**

0620-03-11-.01	Purpose and Authority	0620-03-11-.03	Grant and Program Administration
0620-03-11-.02	Grants		

**0620-03-11-.01 PURPOSE AND AUTHORITY.**

- (1) T.C.A. § 39-13-530 requires the Commissioner of Finance and Administration to promulgate rules and regulations for the distribution of money appropriated from the child abuse fund created by forfeitures under the statute.
- (2) T.C.A. § 39-13-530 provides that fifty percent (50%) of the money from the child abuse fund be used for child advocacy centers. The statute requires the Department of Finance and Administration to provide grants to child advocacy centers that are not-for-profit corporations, are tax-exempt under Section 501 of the Internal Revenue Code, and have provided child advocacy services for at least six (6) months prior to an application for funds.
- (3) T.C.A. § 39-13-530 requires that twenty five percent (25%) of the money from the child abuse fund be used by the Department of Finance and Administration for the court appointed special advocate (CASA) fund. The statute requires the Department of Finance and Administration to provide grants to CASA programs that are not-for-profit corporations, are tax-exempt under Section 501 of the Internal Revenue Code, and have provided CASA services for at least six (6) months prior to an application for funds.
- (4) T.C.A. § 39-13-530 requires that the twenty five percent (25%) of the money from the child abuse fund be used by the Department of Finance and Administration for the child abuse prevention fund, which shall be used to provide a grant to Prevent Child Abuse Tennessee, provided that it be a not-for-profit corporation, be tax-exempt under Section 501 of the Internal Revenue Code, and have provided child abuse prevention services for at least six (6) months prior to an application for funds.
- (5) The purpose of these rules is to provide procedures for the grant of these funds in an efficient, fair, and consistent manner.

**Authority:** T.C.A. §§ 4-5-202 and 39-13-530. **Administrative History:** Original rule filed July 11, 2012; effective December 29, 2012.

**0620-03-11-.02 GRANTS.**

- (1) The Department of Finance and Administration will grant the money allocated for the child advocacy centers under T.C.A. § 39-13-530(c) to the Tennessee Chapter of Children's Advocacy Centers.
  - (a) The Tennessee Chapter of Children's Advocacy Centers shall grant ninety percent (90%) of the funds granted to it by the Department to the child advocacy center (CAC) in the county in which the forfeiture occurred. The remaining ten percent (10%) shall be

(Rule 0620-03-11-.02, continued)

retained by the Tennessee Chapter of Children's Advocacy Centers to cover administrative costs.

- (b) If there is no CAC in the county where the forfeiture occurred, ninety percent (90%) of the funds granted to it by the Department shall be granted to one (1) or more CAC in the judicial district in which the forfeiture occurred.
  - (c) If there is no CAC in the judicial district where the forfeiture occurred, the Tennessee Chapter of Children's Advocacy Centers shall, in consultation with the Department of Finance and Administration, select one (1) or more CAC outside the judicial district which will receive ninety percent (90%) of the funds granted to the Tennessee Chapter of Children's Advocacy Centers by the Department and provide the necessary services.
  - (d) Grants under this subsection shall be used to continue existing programs and services, create new programs and services, and/or to train personnel.
  - (e) The Commissioner may authorize a grant or subgrant to a CAC not otherwise authorized by these rules, if either:
    - 1. The Tennessee Chapter of Children's Advocacy Centers or a CAC authorized under these rules does not meet the statutory requirements of being incorporated as a not-for-profit corporation, being tax exempt under Section 501 of the Internal Revenue Code, or having provided services for at least six (6) months prior to receiving funds; or
    - 2. The Commissioner finds that any actual or proposed grantee or subgrantee is incapable of carrying out the purposes of the grant.
- (2) The Department of Finance and Administration will grant the money allocated for the Court Appointed Special Advocates under T.C.A. § 39-13-530(e) to the Tennessee CASA Association.
- (a) The Tennessee CASA Association shall grant ninety percent (90%) of the funds granted to it by the Department to the CASA program in the county in which the forfeiture occurred. The remaining ten percent (10%) shall be retained by the Tennessee CASA Association to cover administrative costs.
  - (b) If there is no CASA program in the county where the forfeiture occurred, ninety percent (90%) of the funds granted to it by the Department shall be granted to one (1) or more CASA in the judicial district in which the forfeiture occurred.
  - (c) If there is no CASA in the judicial district where the forfeiture occurred, the Tennessee CASA Association shall, in consultation with the Department of Finance and Administration, select one (1) or more CASA outside the judicial district which will receive ninety percent (90%) of the funds granted to the Tennessee CASA Association by the Department and provide the necessary services.
  - (d) Grants under this subsection shall be used to continue existing programs and services, create new programs and services, and/or to train personnel, including volunteers.
  - (e) The Commissioner may authorize a grant or subgrant to a CASA not otherwise authorized by these rules, if either:
    - 1. The Tennessee CASA Association or a CASA authorized under these rules does not meet the statutory requirements of being incorporated as a not-for-profit

(Rule 0620-03-11-.02, continued)

corporation, being tax exempt under Section 501 of the Internal Revenue Code, or having provided services for at least six (6) months prior to receiving funds; or

2. The Commissioner finds that any actual or proposed grantee or subgrantee is incapable of carrying out the purposes of the grant.
- (3) The Department of Finance and Administration will grant the money allocated under T.C.A. § 39-13-530(g) to Prevent Child Abuse Tennessee.
  - (a) Grants shall continue existing programs and services, create new programs and services, and train personnel to plan and carry out a comprehensive statewide child abuse prevention program that includes emphasis on primary and secondary prevention strategies and includes evaluation strategies to assess the effectiveness of prevention activities.

**Authority:** T.C.A. §§ 4-5-202 and 39-13-530. **Administrative History:** Original rule filed July 11, 2012; effective December 29, 2012.

#### **0620-03-11-.03 GRANT AND PROGRAM ADMINISTRATION.**

- (1) The Department of Finance and Administration shall develop and implement grant formats for grants authorized by these rules consistent with the requirements of Tennessee state laws, regulations, and policies relating to grants, including the requirements of T.C.A. § 39-13-530. The grants shall require reporting of grant performance and program operations to the Department and appropriate committees and subcommittees of the General Assembly.
- (2) The Tennessee Chapter of Children's Advocacy Centers, Tennessee CASA Association and Prevent Child Abuse Tennessee shall work together as collaborative partners and will comply with requests from the Department of Finance and Administration to consult with governmental or private entities working on problems of child abuse.

**Authority:** T.C.A. §§ 4-5-202 and 39-13-530. **Administrative History:** Original rule filed July 11, 2012; effective December 29, 2012.