

Amendment No. 1 to HB1679

Curcio
Signature of Sponsor

AMEND Senate Bill No. 1781

House Bill No. 1679*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-32-101(g)(2), is amended by deleting subdivisions (g)(2)(A) and (g)(2)(B) and substituting:

(A)

(i) The person has not been convicted of a criminal offense that is ineligible for expunction, including federal offenses and offenses in other states, that occurred prior to the offense for which the person is seeking expunction; provided, that a moving or nonmoving traffic offense shall not be considered an offense as used in this subdivision (g)(2)(A)(i); and

(ii) The person has not previously been granted expunction under this subsection (g) for another criminal offense;

(B) At the time of the filing of the petition for expunction at least:

(i) Five (5) years have elapsed since the completion of the sentence imposed for the offense the person is seeking to have expunged, if the offense is a misdemeanor or Class E felony; or

(ii) Ten (10) years have elapsed since the completion of the sentence imposed for the offense the person is seeking to have expunged, if the offense is a Class C or D felony; and

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it.