

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 193 - SB 577

March 15, 2019

**SUMMARY OF ORIGINAL BILL:** Authorizes a person to file a petition for the expunction of public records involving offenses related to a person's status as a victim of human trafficking, at no cost to the victim, after one year has elapsed since the completion of any sentence imposed for the petitioner's most recent criminal offense.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (004246):** Deletes and replaces all language after the enacting clause such that the substantive changes are: (1) to specify that in order to file a petition, at least one of the human trafficking convictions to be expunged is required to be a prostitution conviction; (2) establish that such offenses for which the petitioner is requesting expunction are eligible for expunction under Tenn. Code. Ann. § 40-32-101(g); (3) establish that the offense to be expunged is required to occur on or after the date on which the petitioner became a victim of human trafficking; and (4) establish, upon filing a petition, the petitioner is required to remit a \$180 fee to the court clerk.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 40-32-101(g), an eligible petitioner is required to pay the court a \$180 fee for filing a petition to expunge eligible records; \$50 of each fee is remitted to the Tennessee Bureau of Investigation (TBI) and \$130 is remitted to the District Attorneys Expunction Fund.
- Pursuant to Tenn. Code Ann. § 8-21-401(d)(2), a clerk is required to charge \$100 for proceedings related to criminal expungements.

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- The total number of such expunctions annually statewide is estimated to be not significant
- Based on information provided by the District Attorneys General Conference, Tennessee Bureau of Investigation, and local court clerks, any impact resulting from providing such expunction to the petitioner is estimated to be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/amj