

HOUSE BILL 427

By Clemmons

AN ACT to amend Tennessee Code Annotated, Title 40,
Chapter 32, relative to expunction.

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

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

(B) At the time of the filing of the petition for expunction, the petitioner does not have any pending charges filed against the petitioner; provided, however, that if the petitioner has been charged with an offense at the time of filing the petition, the petition must be held by the clerk until the pending charge is resolved; and

SECTION 2. Tennessee Code Annotated, Section 40-32-101(k)(1)(C), is amended by deleting the subdivision and substituting instead:

(C) At the time of the filing of the petition for expunction, the petitioner does not have any pending charges filed against the petitioner; provided, however, that if the petitioner has been charged with an offense at the time of filing the petition, the petition must be held by the clerk until the pending charge is resolved; and

SECTION 3. Tennessee Code Annotated, Section 40-32-105(b)(1), is amended by deleting the subdivision in its entirety.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.