

HOUSE BILL 560

By Camper

AN ACT to amend Tennessee Code Annotated, Title 40,
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)(1)(B), is amended by deleting the subdivision and substituting instead the following:

(B) Except as provided in this subdivision (g)(1)(B), a person who was convicted of a misdemeanor offense committed on or after November 1, 1989. Misdemeanors excluded from consideration are:

- (i) Section 39-13-111 - Domestic assault;
- (ii) Section 39-13-113(g) - Violation of protective or restraining order;
- (iii) Section 39-13-113(h) - Possession of firearm while order of protection is in effect;
- (iv) Section 39-13-511 - Public indecency third or subsequent offense;
- (v) Section 39-13-511 - Indecent exposure (victim under thirteen (13) years of age) or by person in penal institution exposing to a guard;
- (vi) Section 39-13-526(b)(1) and (2) - Violation of community supervision by sex offender not constituting offense or constituting misdemeanor;
- (vii) Section 39-13-528 - Soliciting minor to engage in Class E sexual offense;
- (viii) Section 39-13-509 - Unlawful sexual contact by authority figure;
- (ix) Section 39-14-118 - Fraudulent use of credit/debit card (up to \$500);
- (x) Section 39-15-201(b)(3) - Coercion - abortion;

- (xi) Section 39-15-210 - Third or subsequent violation of Child Rape Protection Act of 2006;
- (xii) Section 39-15-401(a) - Child abuse (where child is between ages seven through seventeen (7-17));
- (xiii) Section 39-15-401(b) - Child neglect and endangerment (where child is between ages seven through thirteen (7-13));
- (xiv) Section 39-17-315 - Stalking;
- (xv) Section 39-17-452 - Sale or possession of synthetic derivatives or analogues of methcathinone;
- (xvi) Section 39-17-902(a) - Importing, preparing, distributing, processing, or appearing in obscene material or Class A misdemeanors;
- (xvii) Section 39-17-907 - Unlawful exhibition of obscene material;
- (xviii) Section 39-17-911 - Sale or loan to minors of harmful materials;
- (xix) Section 39-17-918 - Unlawful massage or exposure of erogenous areas;
- (xx) Section 39-17-1307(f)(1)(A) - Possession of firearm after being convicted of misdemeanor crime of domestic violence;
- (xxi) Section 39-17-1307(f)(1)(B) - Possession of firearm while order of protection is in effect;
- (xxii) Section 39-17-1307(f)(1)(C) - Possession of firearm while prohibited by state or federal law;
- (xxiii) Section 39-17-1312 - Failure of adult to report juvenile carrying gun in school;
- (xxiv) Section 39-17-1320(a) - Nonparent providing handgun to a juvenile;
- (xxv) Section 39-17-1352 - Failure to surrender handgun carry permit upon suspension;

(xxvi) Section 39-13-511(a) - Public indecency - first or second offense
(punishable by a five-hundred-dollar fine only);

(xxvii) Section 39-13-511(b)(2) - Indecent exposure (victim thirteen (13)
years of age or older);

(xxviii) Section 39-17-914 - Display for sale or rental of material harmful
to minors; and

(xxix) Section 55-10-401 - Driving under the influence of an intoxicant;

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring
it.