

HOUSE BILL 578

By Hardaway

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

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

SECTION 1. Tennessee Code Annotated, Section 40-32-101(g)(1), is amended by deleting subdivision (D) in its entirety and substituting instead the following:

(D) A person who was convicted of drug fraud pursuant to § 53-11-402(a)(3) and sentenced to imprisonment for a term of four (4) years or less for an offense committed on or after November 1, 1989; provided, however, that at least ten (10) years have elapsed since completion of the sentence imposed for the offense; or

(E) A person who was convicted of more than one (1) of the offenses listed in this subdivision (g)(1), if the conduct upon which each conviction is based occurred contemporaneously, occurred at the same location, represented a single continuous criminal episode with a single criminal intent, and all such convictions are eligible for expunction under this part. The offenses of a person who is an eligible petitioner under this subdivision (g)(1)(E) shall be considered a single offense for the purposes of this section so that the person is eligible for expunction consideration if all other requirements are met.

SECTION 2. Tennessee Code Annotated, Section 40-32-101(g)(2)(A), is amended by deleting the language “(g)(1)(D)” and substituting instead “(g)(1)(E)”.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to petitions filed on or after such date.