

HOUSE BILL 2031

By Faison

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

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

SECTION 1. Tennessee Code Annotated, Section 40-32-101, is amended by adding the following new subsection:

(k)

(1) Effective July 1, 2016, for purposes of this subsection (k), an "eligible petitioner" means a person who was convicted of one (1) or more offenses and:

(A) All of the offenses for which the petitioner seeks expunction are offenses that are eligible for expunction under subsection (g);

(B) At the time of the filing of the petition for expunction at least five (5) years have elapsed since the completion of the sentence imposed for the most recent offense;

(C) The person has fulfilled all the requirements of the sentences imposed by the court for each offense the petitioner is seeking to expunge, including:

(i) Payment of all fines, restitution, court costs, and other assessments for each offense;

(ii) Completion of any term of imprisonment or probation for each offense;

(iii) Meeting all conditions of supervised or unsupervised release for each offense; and

(iv) If so required by the conditions of any of the sentences imposed, remaining free from dependency on or abuse of alcohol or a controlled substance or other prohibited substance for a period of not less than one (1) year.

(2) Subdivisions (g)(3)-(6), (8), (10), (15), and (16) shall apply to a petitioner filing under this subsection (k).

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