

SENATE BILL 1254

By Norris

AN ACT to amend Tennessee Code Annotated, Section
40-32-101, relative to destruction 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 deleting subdivision (g)(2)(B) and substituting instead the following:

(B) At the time of the filing of the petition for expunction at least one (1) year has elapsed since the completion of the sentence imposed for the offense;

SECTION 2. Tennessee Code Annotated, Section 40-32-101, is further amended by deleting subdivision (g)(10) and substituting instead the following:

(10) Except as provided in subdivision (g)(17), the petitioner shall pay to the clerk of the court a fee of two hundred five dollars (\$205) upon the filing of the petition. Fifty dollars (\$50.00) of the fee shall be transmitted to the Tennessee bureau of investigation for the purpose of defraying the costs incurred from the additional expunction petitions filed and granted as the result of this subsection (g) or subsection (h). The clerk shall retain ten dollars (\$10.00) of the fee and shall remit the remainder to the trustee to be allocated in the following manner:

(A) Fourteen dollars and fifty cents (\$14.50) to the public defenders expunction fund; and

(B) One hundred thirty dollars and fifty cents (\$130.50) to the district attorneys expunction fund.

SECTION 3. Tennessee Code Annotated, Section 40-32-101, is further amended by deleting the language "three hundred fifty dollars (\$350.00)" and "three hundred fifty dollar

(\$350.00) fee" and substituting instead the language "two hundred five dollars (\$205)" and "fee of two hundred five dollars (\$205)".

SECTION 4. Tennessee Code Annotated, Section 40-32-101, is further amended by deleting the language "three-hundred-fifty-dollar (\$ 350) fee" in subdivisions (d)(2)(A) and (d)(2)(C) and substituting instead the language "fee of two hundred five dollars (\$205)".

SECTION 5. Tennessee Code Annotated, Section 40-32-101, is further amended by deleting subdivisions (g)(1)(B)(i) and (g)(1)(B)(xxxvii).

SECTION 6. This act shall take effect July 1, 2017, the public welfare requiring it.