

SENATE BILL 1823

By Robinson

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, is amended by adding the following new subsection:

(l)

(1) Expunction under this section means, in contemplation of law, the conviction for the expunged offense never occurred and the person does not lose the right of suffrage by virtue of the criminal offense that was expunged.

(2) Upon entering an order granting expunction under this section, the court shall determine whether the petitioner is eligible under state or federal law to vote and, if so, issue a certificate of voting rights restoration upon a form prescribed by the coordinator of elections. The court shall also forward a copy of the certificate to the coordinator of elections.

(3) The court shall provide the petitioner with a written statement explaining the purpose and effect of the certificate of voting rights restoration and the procedure by which the person may use the certificate to apply for and receive a voter registration card.

SECTION 2. Tennessee Code Annotated, Title 40, Chapter 29, Part 2, is amended by adding the following as a new section:

(a) A person who has had the records of a criminal offense that previously rendered the person infamous and ineligible to vote expunged, pursuant to § 40-32-101,

has the right of suffrage restored by the expunction and is eligible to apply for a voter registration card upon the entry of the court's order of expunction.

(b) The person may use the certificate of voting rights restoration issued pursuant to § 40-32-101(l) to apply for and receive a voter registration card in the manner provided in § 40-29-203(c) and (d).

SECTION 3. This act shall take effect July 1, 2020, the public welfare requiring it.