

SENATE BILL 1199

By Kyle

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

WHEREAS, Tennessee has provided significant leadership in the area of civil and
human rights; and

WHEREAS, the citizens of Tennessee stand firmly committed to commemorating the
accomplishments of civil rights pioneers and such pioneers' unyielding perseverance during the
difficult struggles for civil rights; and

WHEREAS, honoring our State's civil rights pioneers demonstrates our State's belief in
God and humanity; now therefore,

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

SECTION 1. This act may be known and cited as "The Rosa Parks Act."

SECTION 2. Tennessee Code Annotated, Section 40-32-101, is amended by adding
the following as a new, appropriately designated subsection:

40-32-101

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(1) All public records of a person who has been charged and
convicted with a misdemeanor or felony while protesting or challenging a
state law or municipal ordinance whose purpose was to maintain or
enforce racial segregation or racial discrimination shall, upon petition by
that person to the court having jurisdiction in the previous action, be
removed and destroyed without cost to the person.

(2) If the person charged or convicted is deceased, the petition may be filed by a person who is able to establish legal authority to act on the behalf of such deceased person.

(3) Records or documents subject to destruction which are utilized exclusively for education purposes and are displayed in public museums, libraries, and buildings are exempt from the destruction requirement.

SECTION 3. This act shall take effect July 1, 2007, the public welfare requiring it.