

Amendment No. 1 to HB3700

Watson
Signature of Sponsor

AMEND Senate Bill No. 3642*

House Bill No. 3700

By deleting Sections 2 and 3 and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 40-32-101(a)(1)(D) is deleted in its entirety and substituted instead with the following:

(D) Notwithstanding the provisions of subdivisions (a)(1)(B) and (C) or (a)(6), the records of a person who successfully completes a pretrial diversion program pursuant to §§ 40-15-102 -- 40-15-107, or a judicial diversion program pursuant to § 40-35-313, shall not be expunged pursuant to this section, if the offense for which the person was diverted was a sexual offense as defined by § 40-39-202, or a violent sexual offense as defined by § 40-39-202.

SECTION 3. Tennessee Code Annotated, Section 40-32-101(a), is amended by adding the following new subdivision (6):

(6) Except as provided in subsection (f), it is the intent of this section that a person is entitled to the expunction of public records in a criminal case only if the person successfully completes a pretrial diversion program pursuant to §§ 40-15-102 -- 40-15-107 or a judicial diversion program pursuant to § 40-35-313, the charges against such person are dismissed, or the person is entitled to have all public records removed and destroyed by reason of one (1) of the results specified in this section.

SECTION 4. This act shall take effect July 1, 2012, the public welfare requiring it.