

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 3642 - HB 3700

February 11, 2012

SUMMARY OF BILL: Prohibits expunction of a person's criminal records if the person is charged with an offense, is not convicted of the charged offense, but is convicted of an offense relating to the same criminal conduct or episode as the charged offense, including a lesser included offense; or the person is charged with multiple offenses or multiple counts in a single indictment and is convicted of one or more of the charges offenses or counts, or an offense relating to the same criminal conduct or episode as the charged offense, including a lesser included offense. Specifies that it is the intent of present law regarding expunction of criminal records that a person is entitled to the expunction of public records in a criminal case only if the person successfully completes a judicial diversion program or the charges against such person are dismissed and the person is exonerated.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Currently, a person who has been charged with a misdemeanor or felony may petition the court for expunction of the person's record if the charge was dismissed, a no true bill was returned by a grand jury, or the person was arrested and released without being charged.
- Specifying circumstances under which a person is not entitled to expunction of criminal records will not result in a significant impact to state or local government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

/lsc

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