

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 1963 - SB 2156**

March 10, 2016

**SUMMARY OF BILL:** Provides that the fee for filing a petition for the expunction of multiple convictions under Tenn. Code Ann. § 40-32-101 shall be the same fee as for other expunctions, i.e., \$350.

Deletes subdivision Tenn. Code Ann. § 40-32-101(g)(15), which provides that: (1) an order of expunction entitles the petitioner to have all public records of the expunged conviction destroyed; (2) an expunction has the legal effect of restoring the petitioner to the same status occupied before the arrest, indictment, information, trial, and conviction; (3) a petitioner shall not be guilty of perjury or otherwise giving a false statement by reason of the person's failure to recite or acknowledge the arrest, indictment, information, trial, or conviction in response to any inquiry; (4) expunction means the conviction for the expunged offense never occurred; and (5) a petitioner who is otherwise eligible under state or federal law is authorized to possess a firearm.

Adds a new subsection to Tenn. Code Ann. § 40-32-101 which is substantially similar to the deleted subdivision (g)(15), but applies to expunctions ordered under (a)(1)(A) [dismissals and nolle prosequis], (a)(1)(F) [not guilty verdict], (a)(2) [expiration of bond], (a)(3) [petition in court that entered nolle prosequi], (a)(5) [successful defense of an order of protection], (a)(6) [successful completion of pretrial diversion], (g), and (h) rather than just subsections (g) and (h).

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

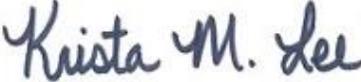
Assumptions:

- Tennessee Code Annotated § 40-32-101 already provides for expunctions for multiple convictions. It is assumed that the fee for multiple convictions is currently \$350.
- It is assumed that deleting subdivision (g)(15) and adding a new subsection that applies to more expunctions will not significantly impact the courts or court clerks.
- The Administrative Office of the Courts confirms that the bill will not significantly impact court operations.

**HB 1963 - SB 2156**

**CERTIFICATION:**

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



Krista M. Lee, Executive Director

/trm