

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 505 - HB 587**

March 13, 2020

**SUMMARY OF BILL:** Permits an individual to file a petition for the expunction of certain nonviolent Class D felony offenses after at least 10 years have elapsed since the completion of the sentence imposed for the most recent offense.

**ESTIMATED FISCAL IMPACT:**

**Increase Local Revenue – Exceeds \$32,000**

Assumptions:

- Pursuant to Tenn. Code Ann. §40-32-101(g)(2)(B), five years are required to have elapsed since the completion of a sentence imposed for an eligible misdemeanor or Class E felony offense in order for a person to petition the court for expunction.
- The proposed legislation authorizes a person to petition for the expunction of eligible Class D felony offenses after a period of 10 years.
- Public Chapter 200 (2019) removed state application fees for applying for expunction; therefore, any increase in petitions for expunctions will not result in a significant fiscal impact to state revenue.
- Based on information provided by the Tennessee Bureau of Investigation (TBI), the average number of felony and misdemeanor expunctions processed by TBI per year is 64,000.
- This analysis assumes 50 percent, or 32,000 (64,000 x 50%) expunctions, are for felony convictions; and 50 percent, or 32,000 expunctions, are for misdemeanor convictions.
- This analysis assumes the proposed legislation will result in recurring increase of at least one percent, or at least 320 (32,000 x 1%), of additional felony expunctions resulting from the ability to petition additional felonies than under current law.
- Pursuant to Tenn. Code Ann. § 8-21-401(d)(2), a clerk is required to charge \$100 for proceedings related to criminal expungements.
- The proposed legislation will result in a recurring increase in local revenue estimated to exceed \$32,000 (320 felony expunctions x \$100).

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**CERTIFICATION:**

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

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/amj