



State of Tennessee

PUBLIC CHAPTER NO. 443

SENATE BILL NO. 237

By Campfield, Ford

Substituted for: House Bill No. 457

By Hardaway, Camper, Faison, Parkinson, Towns, Cooper, Miller, Mark White, Eldridge,
Johnnie Turner, Shaw, Marsh

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 32, relative to the expungement of certain criminal records.

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

SECTION 1. Tennessee Code Annotated, Section 40-32-101(g)(10), is amended by deleting the words "The petitioner shall pay" and substituting instead the words "Except as provided in subdivision (g)(16), the petitioner shall pay".

SECTION 2. Tennessee Code Annotated, Section 40-32-101(g), is amended by adding the following new subdivision:

(16) If the petitioner is unable to pay the fee required by subdivision (g)(10), the petitioner may enter into a payment plan with the clerk in order to pay the fee in installment payments; provided, however, that no order of expunction shall be granted pursuant to this subdivision (g)(16) until the total amount of the fee is paid. Once the petitioner has paid to the clerk of the court a total of three hundred fifty dollars (\$350.00) the fee shall be allocated by the clerk in the same manner set forth for the disposition of the three hundred fifty dollar (\$350.00) fee under subdivision (g)(10).

SECTION 3. Tennessee Code Annotated, Section 40-32-101(g), is amended by adding the following language as a new subdivision (g)(13) and by redesignating the subsequent subdivisions accordingly:

(13) Beginning on July 1, 2013, the department of finance and administration shall review the number of expunction petitions pursuant to this subsection, the cost of processing each petition and the amount of money paid in expunction fees to determine if the amount allotted to the state under subdivision (g)(10)(C) to implement this subsection is adequate and if some portion of such funds could be used for other criminal justice purposes such as the criminal injuries compensation fund or drug court funding. The department shall report its findings to the general assembly in January of 2014.

SECTION 4. This act shall take effect July 1, 2013, the public welfare requiring it.

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PASSED: April 19, 2013



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 16th day of May 2013



BILL HASLAM, GOVERNOR