

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 281 – SB 1215

February 3, 2023

SUMMARY OF BILL: Establishes that a municipal court has jurisdiction over the expunction of a person's conviction for a violation of a municipal ordinance. Applies only to the public records of the municipal court. Establishes conditions for such an expunction, including a \$100 fee payable to the clerk of the court.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- The proposed legislation specifies that for the relevant expunction, the petitioner shall be charged the fee imposed by Tenn. Code Ann. § 8-21-401(b)(D)(x), or \$100.
- Because the expunction only applies to the records of the municipal court and does not apply to more consequential records like driving records belonging to the Department of Safety, it is assumed that the incentive to have the records expunged is relatively low, whereas the fee to petition is relatively high; therefore, it is further assumed that the proposed legislation will not result in a significant increase in petitions to expunge municipal records, nor an increase in local revenue deriving from such petitions.
- In addition, the proposed legislation does not require a municipal court to provide a process for expunction, but rather establishes the courts' jurisdiction to do so; therefore, it is not known how many municipal courts will provide such a process or when.
- Any fiscal impact to local government is estimated to be not significant.

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".

Krista Lee Carsner, Executive Director

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