

HOUSE BILL 2082

By Baum

AN ACT to amend Tennessee Code Annotated, Title 16, Chapter 18, Part 3 and Title 40, relative to expunction.

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

SECTION 1. Tennessee Code Annotated, Section 16-18-302(a), is amended by adding the following as a new subdivision:

(3) A municipal court has jurisdiction over the expunction of a conviction for a violation of a municipal ordinance from a person's record in the municipal court upon the person's petition requesting removal of a public record of a violation of a municipal ordinance that satisfactorily demonstrates to the court that the petitioner merits such relief.

(A) Expungement of a person's record in a municipal court is in the sound discretion of the court guided by law and equity and based upon the court's direct observation of the credibility of the petitioner and the petitioner's demonstrated reputation for honesty, respectability, and veracity in the community and what is fair and equitable under the circumstances.

(B) A municipal court's jurisdiction under this subdivision (a)(3):

(i) Is limited to the record in that municipal court; and

(ii) Does not include records of the department of safety relating to driver records or the driver improvement program established in § 55-50-505.

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it.