

SENATE BILL 2419

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 38;  
Title 39; Title 40; Title 53; Title 55 and Title 71,  
relative to criminal law.

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

SECTION 1. Tennessee Code Annotated, Section 40-32-101(f)(1)(E)(v), is amended by deleting the language:

The district attorney general is served a copy of the petition for expunction by certified mail, return receipt requested, and the district attorney general does not file an objection with the court within twenty (20) calendar days of receipt of the petition.

and substituting instead the language:

The district attorney general is served a copy of the petition for expunction by certified mail, return receipt requested, and the district attorney general does not file an objection with the court within twenty (20) calendar days of receipt of the petition. If the district attorney general has a conflict with handling the matter, the district attorney general shall request and the judge shall appoint a current district attorney general pro tem to handle the particular expunction matter and the twenty (20) calendar day time frame shall be suspended during the time within which this process takes place. No petition shall be granted without a district attorney general or a current duly appointed district attorney general pro tem having an opportunity to review and participate in the expunction request.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.