

PUBLIC CHAPTER NO. 951

HOUSE BILL NO. 1277

By Representatives Gilmore, Cooper, Hardaway, Shaw, Moore

Substituted for: Senate Bill No. 1113

By Senators Harper, Marrero

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 32, Part 1, relative to expungment of certain public records.

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

SECTION 1. Tennessee Code Annotated, Section 40-32-101, is amended by deleting subdivision (a)(1)(A)(iii) and redesignating accordingly.

SECTION 2. Tennessee Code Annotated, Section 40-32-101, is amended by adding the following new subdivision (a)(1)(F):

(F) Upon a verdict of not guilty being returned, whether by a judge following a bench trial or by a jury, on all charges for which the defendant was accused, the judge shall inquire of the person acquitted whether such person requests that all public records associated with the charges for which such person was acquitted be removed and destroyed without cost to the person and without the requirement that the person petition for destruction of such records. If the person requests that the public records related to such charges be removed and destroyed, the court shall so order. If the person acquitted does not request that such records be destroyed at the time the judge inquires pursuant to this subsection (F), but subsequently requests that such records be destroyed, the person shall be required to follow the petition procedure set out in this section.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 6, 2010



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 26th day of May 2010



PHIL BREDESEN, GOVERNOR