



**State of Tennessee**  
**PUBLIC CHAPTER NO. 384**

**SENATE BILL NO. 860**

**By Tate, Harper**

Substituted for: House Bill No. 1275

By Faison, Dennis, Gilmore, Hardaway, Camper, Favors, Johnnie Turner, Miller

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 32, relative to criminal 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 adding the following language as a new subsection:

(h)(1) For purposes of this subsection (h), "eligible petitioner" means a person who was convicted of a non-violent crime after January 1, 1980, if the person:

(A) Petitioned the court in which the petitioner was convicted of the offense and the judge finds that the offense was a non-violent crime;

(B) Petitioned for and received a positive vote from the board of parole to receive a pardon; and

(C) Received a pardon by the governor.

(2) Notwithstanding the provisions of this section, effective July 1, 2013, an eligible petitioner under subdivision (h)(1) may file a petition for expunction of that person's public records involving the crime. The procedures in subdivisions (g)(3)-(6), (8), (10), (14) and (15) will apply to a petitioner under this subsection (h).

SECTION 2. Tennessee Code Annotated, Section 40-32-101, is amended in subdivisions (g)(10) and (11) by deleting the language "this subsection" and substituting instead the language "this subsection (g) or subsection (h)" and is amended in subdivisions (g)(14) and (15) by deleting the language "this subsection (g)" and substituting instead the language "this subsection (g) or subsection (h)" wherever it appears.

SECTION 3. This act shall take effect July 1, 2013, the public welfare requiring it.

SENATE BILL NO. 860

PASSED: April 17, 2013



RON RAMSEY  
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 14<sup>th</sup> day of May 2013



BILL HASLAM, GOVERNOR