



**TENNESSEE FIREARMS
ASSOCIATION**

Tennessee's ONLY No-Compromise Gun Organization

Tennessee Firearms Association Calendar Report - Week of January 15, 2024

Tue 1/16/24 12:00pm - House Hearing Rm II, House Criminal Justice Subcommittee

MEMBERS W/ EMAILS: Email All; CHAIR C. Doggett (R); E. Davis (R); J. Gillespie (R); G. Hardaway (D); D. Howell (R); B. Hulse (R); G. Johnson (D); W. Lamberth (R); D. Moody (R); L. Russell (R); J. Towns Jr. (D) STAFF: Emily Hamby; Ryan Baird, Research Analyst PHONE: 615-741-7476

- 1. **HB1149 CRIMINAL LAW: Expunction of certain offenses.** Requires a court to issue an order of expunction after a person completes the sentence imposed for any misdemeanor or Class C, D, or E felony that was nonviolent and was not a sexual offense. Broadly captioned. ●●●●●●●●●●○
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Amendment Summary: Senate amendment 1 (004189) rewrites this bill to revise present law provisions governing expunction, as described below. Present law provides that an eligible petitioner may file a petition for expunction of that person’s public records involving a criminal offense if, among other things, at the time of filing the petition for the expunction at least: (1) Five years have elapsed since the completion of the sentence imposed for the offense the person is seeking to have expunged, if the offense is a misdemeanor or Class E felony; or (2) Ten years have elapsed since the completion of the sentence imposed for the offense the person is seeking to have expunged, if the offense is a Class C or D felony. This amendment revises this provision to provide, instead, that at the time of filing the petition for the expunction at least: (1) Three years have elapsed since the completion of the sentence imposed for the offense the person is seeking to have expunged, if the offense is a misdemeanor or Class E felony; (2) Six years have elapsed since the completion of the sentence imposed for the offense the person is seeking to have expunged, if the offense is a Class D felony; or (3) Ten years have elapsed since the completion of the sentence imposed for the offense the person is seeking to have expunged, if the offense is a Class C felony. Present law provides that for certain provisions of expunction laws, "eligible petitioner" means a person who was convicted of no more than two offenses and, among other things, at the time of the filing of the petition for expunction at least: (1) Five years have elapsed since the completion of the sentence imposed for the most recent offense, if the offenses were both misdemeanors or a Class E felony and a misdemeanor; and (2) Ten years have elapsed since the completion of the sentence imposed for the most recent offense, if one of the offenses was a Class C or D felony. This amendment revises this provision to provide, instead, that at the time of filing the petition for the expunction at least: (1) Three years have elapsed since the completion of the sentence imposed for the most recent offense, if the offenses were both misdemeanors or a Class E felony and a misdemeanor; (2) Six years have elapsed since the completion of the sentence imposed for the most recent offense, if one of the offenses was a Class D felony; or (3) Ten years have elapsed since the completion of the sentence imposed for the most recent offense, if one of the offenses was a Class C felony.

Subcommittee Amendments:

Fiscal Note: (Dated February 19, 2023) Increase State Expenditures Exceeds \$3,290,200/FY23-24 Exceeds \$3,285,700/FY24-25 and Subsequent Years Decrease Local Revenue \$5,760,000/FY23-24 and Subsequent Years Increase Local Expenditures Exceeds \$5,225,000/FY23-24 and Subsequent Years* Other Fiscal Impact Passage of the proposed legislation could jeopardize Federal Highway Administration funds to the Tennessee Department of Transportation's Highway Fund.

Senate Status: 03/02/23 - Senate passed with amendment 1 (004189).

House Status: 01/10/24 - Set for House Criminal Justice Subcommittee 01/16/24.

Executive Status: House Criminal Justice Subcommittee ;

Caption: AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative to expunction of certain offenses.

AG Opinion:

Cosponsors:


Position:

Priority:

Comment:

rows:

SB393 - L. Lamar - 03/02/23 - Senate passed with amendment 1 (004189).

2. **HB113 CRIMINAL LAW: Community-based alternative to incarceration programs to offer info on voting rights restoration.** Requires Russell that information on restoration of voting rights be offered to all eligible persons as part of services rendered by a community-based alternative to incarceration. Provides that alternatives to incarceration include, but are not limited to, day reporting center programs or recovery and treatment programs. 

Amendment Summary:

Subcommittee Amendments:

Fiscal Note: (Dated January 17, 2023) NOT SIGNIFICANT

Senate Status: 03/22/23 - Senate Judiciary Committee deferred to 03/28/23.

House Status: 01/10/24 - Set for House Criminal Justice Subcommittee 01/16/24.

Executive Status: Senate Judiciary Committee ; House Criminal Justice Subcommittee ;

Caption: AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 2, Part 1; Title 40, Chapter 29 and Title 40, Chapter 35, relative to restoration of rights.

AG Opinion:

Cosponsors:


Position:

Priority:

Comment:

rows:

SB982 - K. Yager - 03/22/23 - Senate Judiciary Committee deferred to 03/28/23.

3. **HB994 CRIMINAL LAW: Threats of deadly force by private citizens making an arrest.** Clarifies that a Keisling threat to use deadly force by a private citizen making an arrest is not in itself considered a use of deadly force. Prohibits a private citizen from threatening to use deadly force during the course of a citizen's arrest unless the arrest is for a crime committed or threatened against the citizen making the arrest or for a violent crime committed or threatened in the presence of the citizen making the arrest. 

Amendment Summary:

Subcommittee Amendments:

Fiscal Note: (Dated March 8, 2023) NOT SIGNIFICANT

Senate Status: 04/04/23 - Senate Judiciary Committee deferred to first calendar of 2024.

House Status: 01/10/24 - Set for House Criminal Justice Subcommittee 01/16/24.

Executive Status: Senate Judiciary Committee ; House Criminal Justice Subcommittee ;

Caption: AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 11, Part 6, relative to criminal liability.

AG Opinion:

Cosponsors:

Position:

Priority:

Comment:

rows:

SB908 - F. Niceley - 04/04/23 - Senate Judiciary Committee deferred to first calendar of 2024.