

## Resolution

RESOLVED, that the TMJC Board approves the following proposed amendment and recommends approval of same by the members of the Conference at the Fall 2021 Annual meeting, and if so approved, the TMJC Legislative Committee undertake to have the amendment incorporated in a bill to be introduced in the 112<sup>th</sup> General Assembly on or after January 1, 2022.

Amend TCA §16-18-302(a) to add a new subsection (3):

(3) A municipal court also has jurisdiction over the expunction of a conviction for violation of municipal ordinance from a person's record in that municipal court upon that person's petition formally requesting removal of a public record of violation of 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 shall be 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) Such jurisdiction is limited to the record in that municipal court; and, shall not include records of the Tennessee Department of Safety and Homeland Security relating to Driver Records or History (MVR) or the Tennessee Driver Improvement Program.