

HOUSE BILL 3882

By Kernell

AN ACT to amend Tennessee Code Annotated, Title 10,
Chapter 7, relative to open government.

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

SECTION 1. Tennessee Code Annotated, Section 10-7-503(a), is amended by adding the following as new subdivision (8):

(8) A governmental entity is prohibited from limiting or denying access to any books, records and other materials which are available for public inspection and copying pursuant to this part because a governmental entity is involved in litigation or is contemplating involvement in litigation.

SECTION 2. Tennessee Code Annotated, Section 10-7-504(a)(5)(A)(v), is amended by deleting the subdivision in its entirety and substituting instead the following:

(v) Books, records and other materials of other departments and agencies; provided, that a department or agency shall not limit or deny access to any books, records and other materials in its possession that are not otherwise confidential because the office of the attorney general and reporter also possesses originals or copies of the same books, records, and other materials.

SECTION 3. This act shall take effect July 1, 2010, the public welfare requiring it.