

Amendment No. _____

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Comm. Amdt. _____

AMEND Senate Bill No. 464

House Bill No. 58*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 10-7-503, is amended by deleting subdivision (a)(7)(A) and substituting instead the following:

(i) A records custodian shall not require a written request or assess a charge to view a public record unless otherwise required by law. Requests may be submitted by all official modes of communication, including in person, telephone, fax, email, or other electronic means.

(ii) A records custodian may require a request for copies of public records to be:

- (a) In writing;
- (b) On a form developed by the agency to comply with § 10-7-503(c); or
- (c) On a form developed by the office of open records counsel.

(iii) If a records custodian requires a request to be in writing under subdivision (a)(7)(A)(ii)(a), the records custodian shall accept any of the following:

- (a) A handwritten request submitted in person or by mail to the records custodian;
- (b) An email request submitted to the records custodian; and
- (c) A request on an electronic form, if available, online that can be electronically submitted to the records custodian.

(iv) If a records custodian requires that a request for copies of public records be made on a form developed by the office of open records counsel or on a form developed



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by the agency to comply with § 10-7-503(c), then the records custodian shall provide such form in the most expeditious means possible when the form is requested.

(v) A records custodian may require any person making a request to view or make a copy of a public record to present photo identification, if the person possesses photo identification, issued by a governmental entity, that includes the person's address. If a person does not possess photo identification, the records custodian may require other forms of identification acceptable to the records custodian.

(vi) Notwithstanding any other law to the contrary:

(a) If a person makes two (2) or more consecutive requests to view a public record, and, for each request, the person fails to view the public record within fifteen (15) business days of receiving notification that the record is available to view, the records custodian is not required to comply with any public records request from the person for a period of six (6) months from the date of the second request to view the public record unless the failure to view the public record was for good cause; and

(b) If a person makes a request for copies of a public record and, after copies have been produced, the person fails to pay to the records custodian the cost for producing such copies, the records custodian is not required to comply with any public records request from the person until the person pays the records custodian for such copies if the records custodian provided the person with an estimated cost for producing the copies in accordance with subdivision (a)(7)(C)(ii) prior to producing the copies and the person agreed to pay the estimated cost for such copies.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.