

Amendment No. 1 to HB0058

Ramsey  
Signature of Sponsor

**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 governmental entity shall not require a written request or assess a charge to view a public record unless otherwise required by law. Requests to view public records may be submitted in person or by telephone, fax, mail, email, or via internet portal.

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

(a) In writing;

(b) On a form that complies with § 10-7-503(c); or

(c) On a form developed by the office of open records counsel.

(iii) If a governmental entity does not require a request for copies to be in writing or on a form in accordance with subdivision (a)(7)(A)(ii), then a request for copies of public records may be submitted as provided in subdivision (a)(7)(A)(i).

(iv) If a governmental entity requires a request to be in writing under subdivision (a)(7)(A)(ii)(a), the governmental entity shall accept any of the following:

(a) A 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.

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(v) If a governmental entity requires that a request for copies of public records be made on a form as provided in subdivision (a)(7)(A)(ii), then the governmental entity shall provide such form in the most expeditious means possible when the form is requested.

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

(vii) Notwithstanding any other law to the contrary:

(a) If a person makes two (2) or more requests to view a public record within a six-month period 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 records custodian determines 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.