

ADVISORY COMMITTEE ON OPEN GOVERNMENT  
AGENDA  
FEBRUARY 26, 2026  
10:00 CT/11:00 ET

- I. Greeting/Welcome
- II. Call to Order
- III. Roll Call
- IV. Review and Approval of Minutes
- V. Public Comment Session
- VI. Unfinished Business
- VII. New Business
  - a. Action Items
    - i. Bylaws (second reading and vote)
    - ii. Annual Report
  - b. Discussion Items
    - i. Potential Need for a Conflict of Interest Policy
- VIII. Suggestion of Topics for Future Meetings
- IX. Schedule Next Meeting(s)
- X. Adjourn

# Advisory Committee on Open Government

November 13, 2025 Meeting Minutes

## **Members Present and Constituting a Quorum:**

Co-Chair Brian Lapps, Tennessee Board of Regents

Co-Chair Joel Christopher, Society of Professional Journalists

Jennifer Wilkerson- Secretary, County Officials Association of Tennessee

Lauren Lamberth, Designee, Tennessee Attorney General and Reporter (Ex Officio)

Ambassador Victor Ashe, Tennessee Coalition for Open Government (participating electronically)

Elisha Hodge, Tennessee Municipal League (participating electronically)

Dr. Karen Jackson, AARP (participating electronically)

Dr. Lee Carter, Tennessee School Board Association

Dan Haskell, Tennessee Association of Broadcasters

Sheriff Eddie Farris, Tennessee Sheriffs Association

## **Members Absent:**

Chris Sherill Vass, Tennessee Press Association

Tunisia Holley, League of Women Voters

Chief Sammie Williams, Tennessee Association of Chiefs of Police

Richard (Dick) Williams, Common Cause

Jonathan Smith, Tennessee Hospital Association

Senator Richard Briggs, Chair, Senate State and Local Government Committee (Ex Officio)

Rep. John Crawford, Chair, House of Representatives State Government Committee (Ex Officio)

### **Others Present and Addressing the Committee:**

Seth May, Office of Open Records

Rachel Appelt, Deputy Tennessee Attorney General

Mr. Robert Walker, League of Women Voters

### **Call to Order**

The meeting was called to order on November 13, 2025, at 9:08 a.m. CT by Co-Chair Brian Lapps. A quorum was established with a total of ten (10) members present, with seven participating in person and three electronically. All committee members participating in the meeting online indicated that they were able to participate in real time and disclosed any other persons who may have been present at their respective locations.

### **Discussion and Confirmation of August 2025 Actions**

The Committee discussed its actions taken to elect officers during the August 25, 2025 meeting. Co-chair Brian Lapps shared Tennessee Code Annotated 8-4-602 and 8-4-603, which define the purpose and structure of the ACOG committee. The Tennessee Code states that co-chairs be selected with one member coming from the private sector and one member from a government entity.

A motion was made by Mr. Dan Haskell that the committee reconsider its action to elect Ms. Elisha Hodge as co-chair in the August 2025 meeting. The motion was seconded by Lauren Lamberth, and the roll call vote was unanimous. Lauren Lamberth moved to elect Joel Christopher as co-chair, representing the Society of Professional Journalists. The motion was seconded, and Mr. Christopher was elected unanimously in a roll call vote. A motion was made and seconded to confirm election of Mr. Lapps as co-chair, and the motion passed unanimously in a roll call vote.

A motion was made by Joel Christopher to confirm the nomination of Jennifer Wilkerson as Secretary, with a second received by Lauren Lamberth. The vote was unanimous in a roll call vote.

### **Review and Approval of Previous Meeting Minutes**

Upon a review of the August 25, 2025 meeting minutes, Mr. Dan Haskell noted that the chair of the House State and Local Government Committee is Representative John Crawford. This revision will be made to the Minutes as well as the Office of Open Records Website.

Co-Chair Lapps referenced a public comment submitted by Mr. Peter Maher, which had been distributed to all committee members. Mr. Maher's comment suggested that the proposed August meeting minutes may have contained material omissions or did not sufficiently restate all comments made during the August meeting.

Co-Chair Lapps read Tennessee Code Annotated § 8-44-104 and relevant portions of Robert's Rules of Order and commentary, including Section 48:2, which address what details are required for public meeting minutes. Co-Chair Lapps asked if any committee member felt that changes were necessary to more fully reflect the meeting, noting that minutes are not intended to be verbatim. No other changes were requested.

With no further discussion, a motion to approve the proposed August meeting minutes, with one amendment noting Representative John Crawford as Chair of the House State and Local Government Committee, was made by Ambassador Victor Ashe and seconded by Dr. Karen Jackson. The vote to approve the minutes with one amendment was unanimous in a roll call vote.

### **Review and Approval of Public Comment Policy**

A draft of a policy for public comments had been previously distributed to committee members for review and posted to the Comptroller's website. The committee engaged in substantial discussion regarding the policy.

Amendments were proposed to include language stating that written comments or requests to provide public comment at a committee meeting are "encouraged at least two (2) business days" prior to a meeting, and that all public comments submitted should address issues or topics germane to the responsibilities of the committee.

A motion to approve the public comment policy, as amended, was made by Ambassador Victor Ashe and seconded by Lauren Lamberth. The motion received nine (9) votes in favor and one (1) opposed. The motion carried, and the public comment policy was adopted.

### **Public Comment Period**

At this time, the floor was opened for public comment. Comments were received from Mr. Robert Walker of the State Board of the League of Women Voters. Mr. Walker asked whether, if a committee member was absent, another representative from that organization would be permitted to participate.

Co-Chair Lapps noted that Tennessee statute governs how committee members are appointed and selected, and that the bylaws, once adopted, would outline the responsibilities of committee members. No additional public comments were received.

### **New Business:**

Training and information regarding the Tennessee Open Meetings Act, as well as the scope and duties of the Advisory Committee on Open Government (ACOG), were provided by Assistant General Counsel for the Office of Open Records Counsel, Seth May, and Deputy Attorney General, Rachel Appelt.

Mr. May provided information on the Tennessee statutes governing open meetings, what constitutes a “meeting,” and the requirements for holding meetings and discussing business among members of a governing body under the Tennessee Open Meetings Act.

Ms. Appelt discussed the roles and scope of the ACOG committee, the committee’s authority to hold meetings at locations other than the Comptroller’s Office, and the requirements necessary to conduct such meetings.

A draft of the proposed bylaws was reviewed, including discussion regarding the authority of an ex officio member and/or their designee to vote. Potential conflicts of interest, or the possibility of conflicts for committee members were also discussed.

### **Suggested Topics for Future Meetings and Adjournment**

The committee agreed that it would be appropriate to further review the need for a conflict-of-interest policy, as well as continue discussion of the bylaws, at the next meeting.

Future meetings were scheduled for February 26, 2026, and September 21, 2026, at 10:00 a.m. Central Time to be held at the Cordell Hull Building, in the Volunteer Conference Room on the 2<sup>nd</sup> floor.

With no further business to discuss, the meeting was adjourned at 11:20 a.m.

Respectfully Submitted,

Jennifer Wilkerson, Secretary

## BYLAWS

A draft of the proposed bylaws is provided for a second reading, discussion, and vote. Both a “tracked changes” version, which identifies the revisions from the November 13, 2025 version discussed by the Committee, and a “clean copy” are attached.

The current version has two revisions, and it seems logical to consider them in reverse order. At the November 13, 2025, ACOG meeting, we discussed whether *ex officio* members should be voting members. There was no objection to, or even significant discussion about, the two *ex officio* members of the General Assembly being voting members. There was, however, considerable discussion about whether the Attorney General or designee should be a voting member. The proposed revised draft of the bylaws permits all three *ex officio* members to vote and is drafted to make a vote as straightforward as possible. One option would be to vote on the bylaws as drafted. A second option would be for someone to move “to add the following language to the end of the second sentence of Section III.B.1: ‘... except that the Attorney General and Reporter or the Attorney General and Reporter’s designee shall not be a voting member.’”

Regardless of whether the Attorney General or designee is a voting member, for the reasons discussed at the November 13 meeting, Co-Chair Lapps believes it is appropriate to amend section Section II.B.3 to read: “Unless authorized by statute, voting members are not permitted to name a designee to attend the meeting in their place.” That language will make clear either (1) if permitted by the bylaws, the Attorney General’s designee can vote because the statute authorizes the Attorney General to send a designee or (2) if the Attorney General or designee is not permitted to vote by the bylaws, nothing in the bylaws is attempting to override the statutory language permitting the Attorney General to send a designee to ACOG meetings.

## **BYLAWS**

### **ADVISORY COMMITTEE ON OPEN GOVERNMENT**

#### **I. PURPOSE**

The Advisory Committee on Open Government (the Committee) is a statutorily created committee established to provide guidance and advice to the Office of Open Records Counsel within the Tennessee Comptroller of the Treasury. Tenn. Code Ann. § 8-4-602(a). The Committee may provide comments and reports on proposed legislation regarding the opens records and open meetings laws, as well as other issues regarding the open records and open meetings laws as requested by the Governor or any committee of the General Assembly. Tenn. Code Ann. § 8-4-603(a)(1) and (b)(2).

#### **II. MEMBERSHIP**

**A. Composition.** The Committee is composed of seventeen (17) members. Fourteen (14) members are appointed by the Comptroller in accordance with Tenn. Code Ann. § 8-4-602(b)(1). Three members are *ex officio* as established by Tenn. Code Ann. § 8-4-602(b)(2). Any vacancies in the appointed membership shall be filled in accordance with Tenn. Code Ann. § 8-4-602.

#### **B. Member Responsibilities.**

1. Members shall try to attend all meetings. If a member knows in advance of an inability to attend, the member shall notify the co-chairs as soon as possible.
2. Members are responsible for reviewing the agenda and materials for each meeting.
3. Unless authorized by statute, voting members are not permitted to name a designee to attend the meeting in their place.

#### **III. COMMITTEE MEETINGS**

##### **A. Meetings.**

1. The Committee shall meet at least once during each calendar year, with the date for such meeting to be set by joint agreement of the co-

chairs. The co-chairs, by joint agreement, may call additional meetings. The co-chairs must call additional meetings upon the request of a majority of the Committee members. Tenn. Code Ann. § 8-4-603(a)(2).

2. The time and location of the meetings shall be determined by the co-chairs of the Committee, or as otherwise provided by law. These bylaws shall apply to all regularly scheduled meetings, as well as any special meeting called by the co-chairs.
3. All meetings of the Committee are subject to the open meeting provisions of Tenn. Code Ann. § 8-44-101, *et seq.* The meetings and activities of the Committee are subject to the public records provisions of Tenn. Code Ann. § 10-7-501, *et seq.*

#### **B. Quorum and Voting.**

1. A quorum of the Committee shall consist of one-half or more of the voting members appointed and serving. *Ex officio* members are voting members of the Committee. A quorum must be present to vote on any matter before the Committee. Any matters voted on by the Committee shall be by public voice vote, roll call vote, or as otherwise prescribed by law or the parliamentary procedures adopted by the Committee. No secret votes or secret ballots are allowed.
2. Each voting member has one vote. The action of a simple majority of the voting members present at a meeting shall be the action of the Committee, except as may be otherwise provided by these bylaws or applicable law.
3. If a quorum is not present, information items may be presented, but no action shall be taken.

#### **C. Participation by Electronic or Other Means.**

1. The Committee shall meet with a quorum physically present at least once per calendar year or as otherwise required by law. Tenn. Code Ann. § 8-44-108(d).

2. A meeting may be held either in person, by electronic means, or with a combination of members physically present and others participating by electronic means. Tenn. Code Ann. § 8-44-108.
3. Committee members unable to attend a meeting in person may participate by electronic means of communication as permitted by Tenn. Code Ann. § 8-44-108. Each member participating by electronic means must be audible to the public at any physical location specified in the meeting notice. Each member participating by electronic means must be able simultaneously to hear and to speak to others during the meeting. A member participating by electronic means shall identify any person present in the room from which the member is participating.

**D. Public Notice.** Notice of regular Committee meetings shall be delivered to Committee members and posted online at least seven calendar days prior to the meeting. The notice shall contain an agenda that identifies topics the co-chairs reasonably expect to come before the Committee, but nothing in these bylaws shall prohibit the Committee from conducting other business that may come before the Committee at a regular meeting. Notice of a special meeting called by the co-chairs shall be delivered to Committee members and posted online no later than three calendar days prior to the meeting and shall state the purpose thereof. The Committee shall not take action at a special meeting on any matter not identified in the notice.

**E. Meeting Procedures.** All Committee meetings shall be guided by the written agenda prepared and approved by the co-chairs and delivered in advance to all committee members. Committee proceedings shall be governed by the current edition of *Robert's Rules of Order* when such rules are not in conflict with other laws, rules or bylaws governing the Committee. The co-chairs shall rule on all questions pertaining to the bylaws and rules of order in the conduct of meetings. Any member may appeal the ruling of the co-chairs to the Committee.

**F. Meeting Minutes.** Pursuant to Tenn. Code Ann. § 8-44-104(a), minutes of Committee meetings shall be promptly and fully recorded, shall be open to public inspection, and shall include, but not be limited to, a record of persons present; all motions, proposals, and resolutions offered; the results of any votes taken; and a record of individual votes in the event of roll call. Such minutes shall be adopted and approved at a subsequent meeting of the Committee.

**G. Duties, Comments, and Reports.** The Committee shall provide reports on open records and open meetings laws and issues as requested by the Governor or any committee of the General Assembly. Tenn. Code Ann. § 8-4-603(b)(2). If requested, the Committee shall hold meetings to review and provide written

comments on any proposed legislation regarding the open meetings laws compiled in Title 8, chapter 44 and the public records laws compiled in title 10, chapter 7. Tenn. Code Ann. § 8-4-603(a)(1). The Committee shall review drafts of materials provided by the Office of Open Records Counsel in accordance with Tenn. Code Ann. § 8-4-604(d). Any written comments or reports provided by the Committee shall require unanimous consent of the co-chairs. Tenn. Code Ann. § 8-4-603(c).

**H. Annual Report.** Pursuant to Tenn. Code Ann. § 8-4-603(b)(1), the co-chairs shall create and provide on behalf of the Committee a detailed report of the Committee's activities to the Governor, the Speaker of the Senate, the Speaker of the House of Representatives, the Chair of the State and Local Government Committee of the Senate, the Chair of the Local Government Committee of the House of Representatives, and the Chair of the State Government Committee of the House of Representatives by March 1 of each year.

#### **IV. COMMITTEE OFFICERS**

**A. Committee Officers.** The Committee must select two co-chairs and a secretary by majority vote, as set forth below. The Committee may appoint additional officers as necessary to conduct Committee affairs.

**B. Committee Co-Chairs.** The Committee shall select two co-chairs from its membership as set forth in Tenn. Code Ann. § 8-4-603 to call meetings of the Committee and to preside over all meetings when present.

**C. Secretary.** The Committee shall select a secretary from among its membership to take notes and produce meeting minutes as required by Tenn. Code Ann. § 8-44-104(a) and these bylaws.

**D. Terms.** Committee officers shall serve for a term of two (2) years or until a successor is selected, provided that no officer may serve beyond the end of the officer's term on the Committee. Committee officers shall not serve more than two (2) successive terms, and no member shall hold more than one office at a time.

**E. Removal and Vacancies.** Officers may be removed from office at the pleasure of the Committee membership by a majority vote. Officer vacancies shall be filled by the procedure prescribed above.

## **V. PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of *Roberts Rules of Order* shall govern the Committee, and all committees appointed by the Committee, to the extent they are applicable and to the extent they are not inconsistent with these bylaws, state law, or any special rules of order the Committee may adopt.

## **VI. AMENDMENT OF BYLAWS**

These bylaws may be amended at any regular meeting of the Committee by an affirmative vote of two-thirds of voting Committee members present, provided that the proposed amendment has been submitted in writing at the previous regular meeting of the Committee.

### **History**

First Reading of Proposed Bylaws November 13, 2025; Approved and effective

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## BYLAWS

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#### II. MEMBERSHIP

**C. Composition.** The Committee is composed of seventeen (17) members. Fourteen (14) members are appointed by the Comptroller in accordance with Tenn. Code Ann. § 8-4-602(b)(1). Three members are *ex officio* as established by Tenn. Code Ann. § 8-4-602(b)(2). Any vacancies in the appointed membership shall be filled in accordance with Tenn. Code Ann. § 8-4-602.

#### **D. Member Responsibilities.**

4. Members shall try to attend all meetings. If a member knows in advance of an inability to attend, the member shall notify the co-chairs as soon as possible.
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6. Unless authorized by statute, voting members are not permitted to name a designee to attend the meeting in their place.

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- O. Duties, Comments, and Reports.** The Committee shall provide reports on open records and open meetings laws and issues as requested by the Governor or any committee of the General Assembly. Tenn. Code Ann. § 8-4-603(b)(2). If requested, the Committee shall hold meetings to review and provide written comments on any proposed legislation regarding the open meetings laws compiled in Title 8, chapter 44 and the public records laws compiled in title 10, chapter 7. Tenn. Code Ann. § 8-4-603(a)(1). The Committee shall review drafts of materials provided by the Office of Open Records Counsel in accordance with Tenn. Code Ann. § 8-4-604(d). Any written comments or reports provided by the Committee shall require unanimous consent of the co-chairs. Tenn. Code Ann. § 8-4-603(c).
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- H. Secretary.** The Committee shall select a secretary from among its membership to take notes and produce meeting minutes as required by Tenn. Code Ann. § 8-44-104(a) and these bylaws.
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### **History**

First Reading of Proposed Bylaws November 13, 2025; Approved and effective

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February 26, 2026

Via Electronic Delivery

Hon. Bill Lee Governor  
1<sup>st</sup> Floor, State Capitol  
Nashville, TN 37243  
[Governor.bill.lee@tn.gov](mailto:Governor.bill.lee@tn.gov)

Sen. Randy McNally, Lieutenant Governor  
Suite 700 Cordell Hull Building  
Nashville, TN 37243  
[lt.gov.randy.mcnally@capitol.tn.gov](mailto:lt.gov.randy.mcnally@capitol.tn.gov)

Sen. Richard Briggs, Chair of the Senate  
State and Local Government Committee  
425 Rep. John Lewis Way N., Suite 774  
Nashville, TN 37243  
[Sen.richard.briggs@capitol.tn.gov](mailto:Sen.richard.briggs@capitol.tn.gov)

Sen. Raumesh Akbari, Senate Minority  
Leader  
425 Rep. John Lewis Way N.  
Suite 764 Cordell Hull Bldg.  
Nashville, TN 37243  
[Sen.raumesh.akbari@capitol.tn.gov](mailto:Sen.raumesh.akbari@capitol.tn.gov)

Rep. Cameron Sexton, Speaker of the  
House  
425 Rep. John Lewis Way N.  
Suite 600 Cordell Hull Bldg.  
Nashville, TN 37243  
[speaker.cameron.sexton@capitol.tn.gov](mailto:speaker.cameron.sexton@capitol.tn.gov)

Rep. John Crawford, Chair of the House  
State and Local Government Committee  
425 Rep. John Lewis Way N  
Suite 540 Cordell Hull Bldg.  
Nashville, TN 37243  
[rep.john.crawford@capitol.tn.gov](mailto:rep.john.crawford@capitol.tn.gov)

Rep. Karen Camper, House Minority  
Leader  
425 Rep. John Lewis Way N.  
Suite 664 Cordell Hull Bldg.  
Nashville, TN 37243  
[rep.karen.camper@capitol.tn.gov](mailto:rep.karen.camper@capitol.tn.gov)

Re: Annual Report from the Advisory Committee on Open Government

This annual report from the Advisory Committee on Open Government (“ACOG” or the “Committee”) is being submitted pursuant to T.C.A. § 8-4-603(b). The Committee hereby provides this detailed report of its activities between March 1, 2025, and February 28, 2026.

Because ACOG had not met following the COVID-19 pandemic and lacked co-chairs to call a meeting as previously required by statute, in 2025 Senator Briggs and Representative Leatherwood sponsored legislation that amended T.C.A. § 8-4-603(a)(4) and directed the Office of Open Records Counsel (“OORC”) to call an annual meeting in the absence of Committee co-chairs. See [PC 370](#).

OORC facilitated a meeting on August 25, 2025, at which time the Committee selected Co-Chairs and a Secretary. ACOG then received public comments, discussed the purpose of the Committee, agreed to include minority leadership in the General Assembly as a courtesy, and recognized the need to adopt by-laws and a public comment policy. (The Committee does not have rule making authority.) The members agreed to meet more frequently than once per year.

ACOG next met on November 13, 2025. A quorum was physically present, thus meeting the requirement in T.C.A. § 8-44-108(d) that a quorum be physically present at least once per calendar year. After approving minutes, the Committee discussed and adopted a Public Comment Policy. A public comment period followed. The OORC provided training on the Open Meetings Act, and a representative from the Attorney General’s Office led a discussion on the scope and duties of ACOG. The Committee then had a first reading and discussion of proposed bylaws.

At the February 26, 2026, meeting the Committee approved minutes and received public comment. The Committee then discussed and adopted bylaws. The Committee also discussed a draft of this report and approved it. **[To be confirmed or edited as necessary.]**

The Committee received no requests to review and comment on proposed legislation regarding open meetings or public records laws during the reporting period.

Because ACOG does not have staff, OORC has facilitated ACOG meetings by issuing notices of meetings, providing conference space in the Comptroller’s Office, and providing technological assistance to livestream and to host on a website recorded meetings as required by the Open Meetings Act. Information about Committee membership, approved minutes, recordings of meetings, and other materials is available at [Advisory Committee on Open Government](#). The Committee wishes to thank OORC for helping the Committee meet its statutory duties.

Finally, the members of the Committee wish to thank the Comptroller for their appointments and providing the opportunity to serve the people of the State of Tennessee in this capacity.

Joel Christopher  
Co-Chair

Brian Lapps  
Co-Chair

cc: Jason Mumpower, Comptroller