



OPEN RECORDS LEGISLATIVE UPDATE

Office of Open Records Counsel
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MESSAGE FROM THE OFFICE OF OPEN RECORDS COUNSEL



Toni Chadwick

Below is a summary of new laws passed during the first session and first extraordinary session of the 114th General Assembly affecting public records and open meetings in Tennessee. The Office of Open Records Counsel provides this summary to educate public officials and citizens about recent changes to the open records and open meetings laws in Tennessee.

Thank you,



Toni Chadwick
Open Records Counsel

1. No Criminal Penalty or Loss of Job for Certain Public Employees Publishing Tax Information

Effective March 25, 2025, Public Chapter 75 provides that there shall be no crime, penalty, or dismissal from employment for any officer or employee of the state or any other officer or employee described in Tenn. Code Ann. § 67-1-1702(a), who in good faith acted in accordance with Tenn. Code Ann. § 67-4-2122(a)(8).

Click [here](#) to view the full language of the new law.

2. Members of Local Legislative Bodies Permitted to Participate Electronically in Certain Circumstances

Effective May 9, 2025, Public Chapter 411 allows members of county legislative bodies and municipal legislative bodies to participate electronically in meetings of the body, subject to certain requirements and circumstances.

Click [here](#) to view the full language of the new law.

3. Expanded Requirements for Providing Agendas

Effective May 5, 2025, Public Chapter 360 amends Tenn. Code Ann. § 8-44-110 by replacing the term “local government legislative body” with “local governmental body” and defines the new term. The new law also requires that a state governing body or a local governmental body that maintains a website make agendas available to the public through the website.

Click [here](#) to view the full language of the new law.

4. Records of the Tennessee Ethics Commission

Effective, in pertinent part, on May 9, 2025, Public Chapter 415 makes all Tennessee ethics commission proceedings regarding a sworn complaint, including records relating to a preliminary investigation, public records open to public inspection.

All personal or professional financial records of the alleged violator are confidential. The new law also provides that all information related to a sworn complaint against a candidate in an election, as defined in § 2-10-102, remain confidential during the period of thirty (30) days prior to the commencement of voting for that election through election day, unless the candidate requests in writing the disclosure of the information. Knowingly disclosing this information by a member of the commission or commission staff is grounds for immediate termination of a staff member's employment or immediate removal of a commission member from office.

Click [here](#) to view the full language of the new law.

5. Juvenile Records for Certain Matters before the Court

Effective May 9, 2026, Public Chapter 414 amends Tenn. Code Ann. §§ 37-1-133, 37-1-153, & 40-11-118 to allow certain juvenile records to be used to set bonds and determine bail amount under specified circumstances.

Click [here](#) to view the full language of the new law.

6. Meetings of the District Attorneys General Conference

Effective May 2, 2025, Public Chapter 312 declares that meetings of the district attorneys general conference are subject to the open meetings provisions of title 8, chapter 44, except that the conference executive committee and the finance and audit committee may hold confidential, nonpublic executive sessions to discuss certain topics as enumerated in the new law. It also imposes requirements for conducting meetings at which both subject matter open to the public and confidential subject matter will be discussed.

The new law provides that legal counsel and advice provided in a confidential, nonpublic executive session of the district attorneys general conference is confidential, including any documents or other communications made in connection with the legal counsel or advice. The advice, documents, and communications remain confidential except pursuant to a valid court order.

Click [here](#) to view the full language of the new law.

7. Confidentiality of Public Employees' Residential Information

Effective April 24, 2025, Public Chapter 280 makes residential information, including street address, city, state, and zip code for any county, municipal, or other public employee confidential. Residential information, including street address, city, state, and zip code for state employees remains confidential.

Click [here](#) to view the full language of the new law.

8. Adoption Records

Effective July 1, 2025, Public Chapter 79, makes several changes regarding adoption records, including changing from 21 to 18 the age at which certain adoption records must be made available to certain adopted persons.

Among the various changes, the new law opens certain adoption information to representatives of the department of children's services when the department receives a report that the child, or siblings of the child, are the alleged victims of abuse or neglect. This release of information is limited to the information necessary to assist in the determination of abuse or neglect, assist in the provision of services addressing the impact of abuse or neglect, or to mitigate the risk of abuse or neglect.

Click [here](#) to view the full language of the new law.

9. Tennessee Transportation Financing Authority Confidential Records

Effective February 12, 2025, Public Chapter 5 makes records received or possessed by the Tennessee transportation financing authority confidential under the Tennessee Public Records Act if those records have been determined to be proprietary by the department of transportation under § 54-3-115 or § 54-6-107, or by another responsible public entity under § 54-6-107, but only upon request by the private person or entity to the authority with proof that the department or other responsible public entity has made a determination that the records are proprietary.

Click [here](#) to view the full language of the new law.

10. State Reimbursement Advisory Task Force

Effective July 1, 2025, Public Chapter 144 allows the state reimbursement advisory task force to conduct meetings by electronic or other means of communication pursuant to Tenn. Code Ann. § 8-44-108, provided that it conducts at least one in-person meeting per calendar year.

Click [here](#) to view the full language of the new law.

11. Tennessee Juvenile Justice Review Commission

Effective April 24, 2025, Public Chapter 281 provides that the Tennessee juvenile justice review commission may access information made confidential pursuant to Tenn. Code Ann. § 37-1-101, et seq.

The new law provides that investigatory meetings of the commission are not subject to the Tennessee Open Meetings Act and are closed to the public. Minutes or other legally confidential information generated during an investigatory meeting must be sealed from public inspection, with members of the commission and each person otherwise attending being required to sign a statement indicating and affirming an understanding of and adherence to the confidentiality requirements, including possible civil or criminal consequences for a breach of confidentiality.

The commission is required to conduct periodic meetings open to the public to make available aggregate findings of its reviews and recommendations, in a general manner that does not reveal information made confidential pursuant to state or federal law.

Confidential information acquired by the commission in the exercise of its duties remains confidential and is not subject to discovery or introduction into evidence in any criminal or civil proceeding. Confidential information may only be disclosed as necessary to carry out the requirements of Title 37, Chapter 3, Part 9.

Click [here](#) to view the full language of the new law.

12. Comptroller of the Treasury Survey Data

Effective May 5, 2025, Public Chapter 365 amends Tenn. Code Ann. § 10-7-504(a)(22) to clarify that the comptroller may publish aggregate survey data and survey responses that cannot be used to identify individuals completing the survey.

Click [here](#) to view the full language of the new law.

13. Confidentiality of Records Collected or Received by the Centralized Immigration Enforcement Division

Effective, in pertinent part, on February 12, 2025, Public Chapter 1, creates the centralized immigration enforcement division within the department of safety and allows the department to maintain any information or records collected or received by the

division or chief immigration enforcement officer confidentially, including, but not limited to, sensitive or confidential information collected or received from a federal, local, or state department or agency. The new law also allows the department of safety to maintain any information or records collected pursuant to the immigration enforcement grant program as confidential, including, but not limited to, sensitive or confidential law enforcement information.

Click [here](#) to view the full language of the new law.

14. Facilitating Meetings of the Advisory Committee on Open Government

Effective May 5, 2025, Public Chapter 370 requires the office of open records counsel to facilitate the convening of meetings of the advisory committee on open government. The new law defines “facilitate” for purposes of this requirement.

Click [here](#) to view the full language of the new law.

15. Tennessee One Health Subject to TOMA

Effective April 24, 2025, Public Chapter 286 designates Tennessee one health’s governing body as a governing body whose meetings must comply with the Tennessee Open Meetings Act.

Click [here](#) to view the full language of the new law.

16. Injunctive Relief for Disruptive TPRA Requests

Effective May 5, 2025, Public Chapter 392 deletes the July 1, 2025 expiration of the Tennessee Public Records Act provision that allows governmental entities to request injunctions against individuals making record requests with the intent to disrupt government operations. Previously set to automatically repeal on July 1, 2025, this provision will now continue.

Click [here](#) to view the full language of the new law.

17. Electronic Participation in Meetings of State Governing Bodies

Effective July 1, 2025, Public Chapter 524, in pertinent part, makes various changes to Tenn. Code Ann. § 8-44-108, which permits governing bodies of a board, agency, or commission of State government to allow electronic participation for any meeting authorized by law for the benefit of the public or members of the governing body. Under the new law, state governing bodies allowing electronic participation must meet with a quorum physically present at least once per calendar year, among other requirements.

Click [here](#) to view the full language of the new law.

18. Complaint Process for Individuals whose Name or Address Included on Documents Filed with Secretary of State

Effective July 1, 2025, Public Chapter 152 establishes a complaint process for persons whose name or address was included on a document filed with the secretary of state under Title 48 or Title 61 of the Tennessee Code without the person’s consent. Outlines the requirements for submitting the complaint, responses to the complaint, and reviews of the complaints. The new law provides that the complaints and responses are public records.

Click [here](#) to view the full language of the new law.

19. Process for Providers to Remove Certain Public-Facing Information

Effective July 1, 2025, Public Chapter 100 amends Tenn. Code Ann. § 63-32-105 by establishing a process by which providers, as defined, may petition the relevant board, under specified circumstances, to remove public adverse action taken against their license or registration from the public-facing licensure verification website.

Click [here](#) to view the full language of the new law.

20. Local Government Fee Justification Documents

Effective July 1, 2026, Public Chapter 140 amends Titles 5, 6, and 7 to require various local governmental entities and officials who assess and collect a fee related to development in excess of \$250 to maintain documentation describing the justification and cost basis for that fee. The law provides that the documentation is a public record.

Click [here](#) to view the full language of the new law.

21. Files and Juvenile Court Records Open in Certain Circumstances

Effective April 11, 2025, Public Chapter 179, in pertinent part, amends Tenn. Code Ann. § 37-1-153 to provide that all files and juvenile court records in a delinquency proceeding under Tenn. Code Ann. § 37-1-101, et seq., including medical reports, psychological evaluations, and any other document, relating to a person must be opened to public inspection if certain conditions are met.

Click [here](#) to view the full language of the new law.

22. Confidentiality in Hiring for Chief Executive Officer of Public Higher Education Institution

Effective April 11, 2025, as related to Tennessee's Sunshine Laws, Public Chapter 186 removes the automatic repeal scheduled for July 1, 2028 of the provision making certain records related to the search for and selection of a chief executive officer of a public institution of higher education confidential and not open for public inspection. The new law also removed a reporting requirement of the advisory committee on open government.

Click [here](#) to view the full language of the new law.

23. Savanna's Law

Effective January 1, 2026, Public Chapter 520 enacts Savanna's Law which creates a public registry within the Tennessee bureau of investigation of persistent domestic violence offenders. The new law requires the TBI to make the registry available for public inquiry on the internet, and the registry must consist of the persistent domestic violence offender's name, date of birth, conviction date, county or counties of convictions, and current photograph. However, the registry available for public inquiry must not include the persistent domestic violence offender's address, social security number, driver license number, or any other state or federal identification number.

Click [here](#) to view the full language of the new law.

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