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*** Current through the 2014 Regular Session and amendments approved at the November 4, 2014 General Election ***

Title 10 Public Libraries, Archives And Records
Chapter 7 Public Records
Part 3 Public Records Commission

Tenn. Code Ann. § 10-7-303 (2014)

10-7-303. Division of records management -- Creation, disposition and preservation of records -- Land, legislative and judicial records -- Guides.

(a) The division of records management of the department of state shall be the primary records management agency for state government, and as such shall direct the disposition of all records, including electronic processed records and computer output microfilm records.

(b) The division shall cooperate with other agencies in the creation of records, forms, etc., which will eventually be subject to retention and/or disposition scheduling.

(c) Whenever the head of any state department, commission, board or other agency has certified that records created by such person's department, either permanent, temporary or working papers, as defined in § 10-7-301, have reached the end of the retention period established prior to the generation of such records, the public records commission shall then approve or disapprove, by a majority vote, the disposition of such records in a manner specified in the rules and regulations of the commission, and any disposition schedule already in effect may be voided or amended by a majority vote at any time by the commission, upon recommendation of a member of the commission or the head of the appropriate department, commission, board or other agency, in consultation with the staff of the division.

(d) No record or records shall be scheduled for destruction without the unanimous approval of the voting members of the public records commission.

(e) All records concerning private or public lands, with the exception of leases, shall be forever preserved. The microfilm records of leases required to be microfilmed prior to disposition pursuant to § 12-2-108(c) shall be forever preserved.

(f) When the development of a records management system for judicial records or the disposition of judicial records is under consideration, the attorney general and reporter or the attorney general's representative, and the chief justice of the supreme court or the chief justice's representative shall serve as temporary nonvoting members of the commission.

(g) This part applies to judicial records but does not apply to legislative records.

(h) (1) (A) The division is authorized to develop a protocol manual or to adopt a published protocol manual to be adopted by the executive, judicial and legislative branches of state government.

(B) The division is authorized to develop a style manual or guide or to adopt a published style manual or guide to be adopted by the executive, judicial and legislative branches of state government.

(2) A branch of state government may modify an adopted protocol manual or style guide.

HISTORY: Acts 1974, ch. 739, § 3; 1975, ch. 286, § 2; 1977, ch. 38, § 2; T.C.A., § 15-403; Acts 1981, ch. 364, § 3; 1984, ch. 891, § 2; 1991, ch. 498, §§ 4, 8; 2001, ch. 328, §§ 2, 3; 2013, ch. 207, §§ 3, 4.