

**PUBLIC CHAPTER NO. 425**

**SENATE BILL NO. 2005**

**By Tracy, Burks, Bunch, Black**

**Substituted for: House Bill No. 1828**

**By Todd, Maddox, Dean, DuBois**

AN ACT to amend Tennessee Code Annotated, Title 10, Chapter 7, Part 5, relative to certain records pertaining to law enforcement officers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 10-7-503(c), is amended by adding a new subdivision (2) and renumbering existing subdivisions accordingly:

(2) Information made confidential by this chapter shall be redacted whenever possible, but the costs associated with redacting records or information, including the cost of copies and staff time to provide redacted copies, shall be borne as provided by current law.

SECTION 2. Tennessee Code Annotated, Section 10-7-504, is amended by deleting subdivision (g)(1) in its entirety and substituting instead the following:

(g)(1)(A)(i) All law enforcement personnel information in the possession of any entity or agency in its capacity as an employer, including officers commissioned pursuant to § 49-7-118, shall be open for inspection as provided in § 10-7-503(a), except that personal information shall be redacted where there is a reason not to disclose as determined by the chief law enforcement officer or his or her designee.

(ii) When a request to inspect includes such personal information and the request is for a professional, business, or official purpose, the chief law enforcement officer or custodian shall consider the specific circumstances to determine whether there is a reason not to disclose and shall release all information except that made confidential in § 10-7-504(f) if there is not such a reason. In all other circumstances, the officer shall be notified prior to disclosure of the personal information and shall be given a reasonable opportunity to be heard and oppose the release of the information. Nothing in this subdivision (g)(1) shall be construed to limit the requestor's right to judicial review set out in § 10-7-505.

(iii) The chief law enforcement officer shall reserve the right to segregate information which could be used to

identify or to locate an officer designated as working undercover.

(B) In addition to the requirements of § 10-7-503(c), the request for a professional, business, or official purpose shall include the person's business address, business telephone number and email address. Such request may be made on official or business letterhead and the person making the request shall provide the name and contact number or email address for a supervisor for verification purposes.

(C) If the chief law enforcement official, his or her designee, or the custodian of the information decides to withhold personal information, a specific reason shall be given in writing within two (2) business days to the requestor, and the file shall be released with the personal information redacted.

(D) For purposes of this subsection (g), personal information shall include the officer's residential address, home and personal cellular telephone number; place of employment; name, work address and telephone numbers of the officer's immediate family; name, location, and telephone number of any educational institution or daycare provider where the officer's spouse or child is enrolled.

SECTION 3. Tennessee Code Annotated, Section 10-7-504(f), is amended by deleting subdivision (1) in its entirety and by substituting instead the following:

(1) The following records or information of any state, county, municipal or other public employee, or of any law enforcement officer commissioned pursuant to § 49-7-118, in the possession of a governmental entity or any person in its capacity as an employer shall be treated as confidential and shall not be open for inspection by members of the public: unpublished telephone numbers; bank account information; social security number; driver license information except where driving or operating a vehicle is part of the employee's job description or job duties or incidental to the performance of the employee's job; and the same information of immediate family members or household members.

SECTION 4. This act shall take effect upon becoming law, the public welfare requiring it.

**PASSED: June 4, 2007**



RON RAMSEY  
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 13th day of June 2007



PHIL BREDESEN, GOVERNOR