

Proposed Rules  
of the  
Department of Finance and Administration

Chapter 0620-3-10  
Access to Public Records of the Department of Finance and Administration

Presented herein are proposed amendments of the Department of Finance and Administration submitted pursuant to T.C.A. Section 4-5-202 in lieu of a rulemaking hearing. It is the intent of the Department to promulgate these rules without a rulemaking hearing unless a petition requesting such hearing is filed within thirty (30) days of the publication date of the issue of the Tennessee Administrative Register in which the proposed amendments are published. Such petition to be effective must be filed in the Department of Finance and Administration, Office of the General Counsel, Suite 2100, William R. Snodgrass Tennessee Tower located at 312 8<sup>th</sup> Avenue North, Nashville, Tennessee 37243 and in the Department of State, 8<sup>th</sup> floor, William R. Snodgrass Tennessee Tower, 312 8<sup>th</sup> Avenue North, Nashville, Tennessee 37243 and must be signed by twenty-five (25) persons who will be affected by the rule, or submitted by a municipality which will be affected by the rule, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly.

For a copy of this proposed rule, contact: April Mayambu, Office of the General Counsel, Department of Finance and Administration Suite 2100, William R. Snodgrass Tennessee Tower, 312 8<sup>th</sup> Avenue North, Nashville, Tennessee 37243, (615) 741-0320.

The text of the proposed amendments is as follows:

Amendments

Rule 0620-3-10-.03 Age Requirement, paragraph (3), subparagraph (c), part 7 is amended by deleting the present language in its entirety and replacing it with the following:

7. After good faith review, unforeseen technical, physical, or personnel problems preclude immediate availability of these records for inspection; provided that any reason offered under this part 7 shall not be inconsistent with the Public Records Act.

Authority: T.C.A. §§ 4-5-201 et seq.; §§ 4-3-1001 et seq.; §§ 10-7-503 and 10-7-506; *Tennessean v. Electric Power Board of Nashville*, 979 S.W.2d 297 (Tenn. 1998); Op. Tenn. Atty. Gen. 01-021 (Feb. 8, 2001).

Rule 0620-3-10-.04 Disability Requirement, paragraph (3), subparagraph (c), part 7. is amended by deleting the present language in its entirety and replacing it with the following:

7. After good faith review, unforeseen technical, physical, or personnel problems preclude immediate production of these records, provided that any reason offered under this part 7 shall not be inconsistent with the Public Records Act.

Authority: T.C.A. §§ 4-5-201 et seq.; §§ 4-3-1001 et seq.; §§ 10-7-503 and 10-7-506; *Tennessean v. Electric Power Board of Nashville*, 979 S.W.2d 297 (Tenn. 1998); Op. Tenn. Atty. Gen. 01-021 (Feb. 8, 2001).

The proposed rules set out herein were properly filed in the Department of State on the 30th day of May, 2008, and pursuant to the instructions set out above, and in the absence of the filing of an appropriate petition calling for a rulemaking hearing, will become effective on the 26th day of September, 2008. (FS 05-25-08; DBID 2892)