Tennessee Comptroller of the Treasury

Open Records Legislative Update

Office of Open Records Counsel

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Jason E. Mumpower
Comptroller of the Treasury

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Message From the Office of Open Records Counsel



Toni Chadwick

Below is a summary of new laws passed during the second session and second 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 public records and open meetings laws in Tennessee.

Thank you,

Toni Chadwick
Open Records Counsel

1. Electronic Participation in Community Meetings

Effective May 5, 2026, Public Chapter 895 amends Tenn. Code Ann. § 8-44-108 to permit local governing bodies to allow participation in community meetings by electronic means of communication if certain requirements are followed. A community meeting is defined as "the convening of members of a community in a political subdivision to discuss and receive information about community public business."

Click here to view the full language of the new law.

2. Broadened Public Comments for Local Governing Bodies

Effective March 12, 2026, Public Chapter 620 amends Tenn. Code Ann. § 8-44-112 to require local governing bodies to reserve a period for public comment on matters that are germane to the items on the agenda for the meeting and on any matter that is germane to the jurisdiction of the local governing body.

Click here to view the full language of the new law.

3. Out-of-State Individuals

Effective July 1, 2026, Public Chapter 711 amends Tenn. Code Ann. § 10-7-503 to allow an individual who is not a citizen of this state to inspect or receive copies of any law enforcement record or report pertaining solely to that individual, if the individual submits certain documentation.

Click here to view the full language of the new law.

4. Executive Sessions for Director-Level Interviews

Effective May 21, 2026, Public Chapter 1048 amends Tenn. Code Ann. § 8-44-102 to allow a governing body to conduct an executive session for the purpose of interviewing applicants for employment as director-level staff of the body. The new law requires the governing body to treat the application materials as confidential upon request by the applicant; however, it must treat the selected applicant's interview, if recorded, and application materials as public records upon the applicant being selected for employment or appointment.

Click here to view the full language of the new law.

5. Expirations under Tenn. Code Ann. § 10-7-504

Effective April 7, 2026, Public Chapter 672 amends Tenn. Code Ann. § 10-7-504 to delete five automatic repeal mandates pertaining to 1) provisions that make certain records of students in public educational institutions confidential; 2) the law that makes certain personally identifying information of persons named in motor vehicle accident reports confidential; 3) the confidentiality provision related to captured plate data from automatic license plate reader systems; 4) provisions that make certain records or information of public employees held by a governmental entity in its capacity as an employer confidential; and 5) the law that makes certain body camera footage confidential. Each of these provisions, which were previously set to repeal on July 1, 2026, will now continue.

Click here to view the full language of the new law.

6. Proprietary Information

Effective March 25, 2026, Public Chapter 610 adds the comptroller of the treasury to Tenn. Code Ann. § 71-5-142, which governs the confidentiality of certain proprietary information.

Click here to view the full language of the new law.

7. Bank Account Information

Effective March 18, 2026, Public Chapter 592 amends Tenn. Code Ann. § 10-7-504(r) by clarifying that names and location of financial institutions and specific account information such as names, taxpayer identification numbers, and addresses associated with the bank account are included in the types of bank account information that must be kept confidential.

Click here to view the full language of the new law.

8. Safe at Home Program

Effective March 6, 2026, Public Chapter 582 amends Tenn. Code Ann. § 40-38-603 to make ineligible to participate in the address confidentiality program persons who are required by law to be registered as persistent domestic violence offenders, under Tennessee Code Annotated Title 40, Chapter 39, Part 4.

Click here to view the full language of the new law.

9. Personal Mailing Addresses and Telephone Numbers

Effective July 1, 2026, Public Chapter 612 requires the secretary of state to omit from its annual publication required by Tenn. Code Ann. § 10-7-604 the personal mailing addresses and telephone numbers of agency members.

Click here to view the full language of the new law.

10. Confidential Information Related to Trusts

Effective July 1, 2026, Public Chapter 616, in pertinent part, allows confidential information related to trusts that is contained in court filings to be redacted or filed under seal without a prior court order when certain conditions are met. The new law defines "confidential information related to trusts" as trust instruments, settlement agreements, modification agreements, trustee resolutions, inventories, accountings, and reports; the names and addresses of trust settlors, trustees, and beneficiaries; trust dispositive terms; corporate and company records relating to trusts; personally identifying information, including social security numbers and dates of birth; and any other information the court deems confidential, if there is a compelling interest in protecting the confidentiality of the information which outweighs the public interest in accessing such information.

Click here to view the full language of the new law.

11. Human Rights Complaints and Investigations

Effective April 1, 2026, Public Chapter 662, in pertinent part, amends Tenn. Code Ann. § 4-21-205 to make complaints filed with the attorney general of an alleged human rights violation confidential and removes a confidentiality provision that applied to all material compiled by the attorney general in an investigation under that section.

Public Chapter 662, in pertinent part, also amends Tenn. Code Ann. § 4-21-303 by removing language related to the confidentiality of conciliation agreements.

Click here to view the full language of the new law.

12. Information Related to Law Enforcement and Immigration

Effective April 13, 2026, Public Chapter 686 requires each state governmental entity and official to maintain as confidential, the following information relative to the operational enforcement of federal and state immigration laws: the name of a federal, state, or local officer, agent, or official participating in federal immigration enforcement activities in the state, in certain prescribed situations; and information related to specific future immigration enforcement operational activities, such as the date and time, location, logistics, or strategies of such activities.

Effective July 1, 2026, Public Chapter 686 requires each local governmental entity and official to maintain as confidential, the following information relative to the operational enforcement of federal and state immigration laws: the name of a federal, state, or local officer, agent, or official participating in federal immigration enforcement activities in the state in certain prescribed situations; and information related to specific future immigration enforcement operational activities, such as the date and time, location, logistics, or strategies of such activities. Public Chapter 686 also amends Tenn. Code Ann. § 10-7-504 to make confidential the name of a law enforcement officer who is designated as working undercover during the period of the undercover assignment and for a reasonable period following the assignment if the law enforcement agency determines that disclosure would present a reasonable risk to the safety of the officer or to the integrity of current or future operations. The new law also prescribes various criminal penalties for the release of certain confidential information.

Click here to view the full language of the new law.

13. Meeting Agendas

Effective April 14, 2026, Public Chapter 699 expands the list of governing bodies that are required to provide a meeting agenda to the public at least forty-eight hours in advance of a meeting to include governing bodies of a local education agency and certain governing bodies with the authority to make binding decisions or the ability to appropriate funds.

Click here to view the full language of the new law.

14. Expunction

Effective April 14, 2026, Public Chapter 719 amends, in pertinent part, the definition of "eligible petitioner" in Tenn. Code Ann. § 40-32-107(d), for purposes of petitioning for the expunction of one's public records involving the relevant crime.

Click here to view the full language of the new law.

15. Commercial Contracts of Intercollegiate Athletics Programs

Effective April 16, 2026, Public Chapter 759 amends Tenn. Code Ann. § 49-7-170 to make confidential commercial contracts entered into solely in furtherance of an intercollegiate athletics program that if disclosed to the public, could reasonably be used to affect the economic advantage of a business over its competitors.

Additionally, Public Chapter 759 removes any private cause of action, liability, or basis for injunctive relief by any private person or entity except for a business asserting that disclosure of information would undermine an economic advantage over its competitor.

Click here to view the full language of the new law.

16. Brady Lists

Effective April 21, 2026, Public Chapter 770, in relevant part, makes a "Brady list," as defined, and any other files, evidence, or records used to make a Brady list determination that are in the possession of a prosecuting agency confidential and not subject to the Tennessee Public Records Act.

Click here to view the full language of the new law.

17. Confidential Information and Duties of Foster Parents

Effective July 1, 2026, Public Chapter 802 amends, in relevant part, Tenn. Code Ann. § 37-2-415(a)(15) to clarify that the copy of any termination of parental rights petition is included in the information that foster parents must keep confidential.

Click here to view the full language of the new law.

18. Safe School Design Advisory Board

Effective April 21, 2026, Public Chapter 804 creates the safe school design advisory board to recommend to the commissioner of commerce and insurance safe school design guidelines for local education agencies and public charter schools to consider when constructing or remodeling kindergarten through twelfth grade public school facilities. The new law provides that the advisory board meetings are not subject to the Tennessee Open Meetings Act, but reasonable notice must be provided to the general public prior to a meeting.

Click here to view the full language of the new law.

19. Subterranean Transportation Infrastructure Coordination Authority

Effective, in relevant part, July 1, 2026, Public Chapter 854 provides that meetings of the board of directors of the subterranean transportation infrastructure coordination authority must comply with the Tennessee Open Meetings Act.

Click here to view the full language of the new law.

20. Blood and Urine Samples of Persons Suspected to have Committed Mass Shootings

Effective July 1, 2026, Public Chapter 897 allows law enforcement officers having probable cause to believe a person has committed a mass shooting to ask if the person consents to a blood or urine test to determine the presence of any drugs, including therapeutic levels of psychotropic drugs, and to study the interactions between any psychotropic drugs and other drugs that are present. The hospital where the blood or urine sample was procured and tested must send the results of the drug test to the University of Tennessee's health science center college of pharmacy without disclosing any identifying information, including the person's name or social security number.

Click here to view the full language of the new law.

21. Local Board of Education Meetings

Effective July 1, 2026, Public Chapter 710 amends Tenn. Code Ann. § 49-2-203(b) to allow local boards of education to open a meeting of the board of education with a prayer led by a member of the board of education, provided that the prayer does not require participation of any person in attendance and provided that no person is harassed or coerced to participate in the prayer.

Click here to view the full language of the new law.

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