



**STATE OF TENNESSEE
COMPTROLLER OF THE TREASURY
OFFICE OF OPEN RECORDS COUNSEL**

SAFE HARBOR POLICY

PURPOSE: Tenn. Code Ann. § 8-4-604(a)(3) requires the Office of Open Records Counsel (“OORC”) to establish a safe harbor policy for records custodians who adhere to the policies and guidelines established by the OORC.

This policy should not be interpreted as requiring a records custodian to impose charges for copies of public records nor should it be interpreted as requiring records custodians to aggregate frequent and multiple requests. However, if a records custodian does decide to impose charges for copies, or to aggregate requests, this policy establishes that those fees are presumed to be reasonable when assessed in accordance with the policies and guidelines developed by the OORC.

POLICY:

Any labor fees and charges related to copying or duplicating public records are presumed reasonable if the fees and charges are set forth in the governmental entity’s public records policy and such fees and charges were developed in accordance with the provisions of the Schedule of Reasonable Charges.

The aggregation of frequent and multiple requests for copies of public records and any fees and charges resulting from aggregation are presumed to be reasonable if the fees and charges are set forth in the governmental entity’s public records policy and such fees and charges were developed in accordance with the provisions of the Reasonable Charges for Frequent and Multiple Requests Policy.

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