

PART 4

COUNTY PUBLIC RECORDS COMMISSION

10-7-401. County public records commission created — Membership.

In order to provide for the orderly disposition of public records created by agencies of county government, the county legislative body shall create within the county a county public records commission, composed of at least six (6) members. The county mayor shall appoint three (3) members and the county legislative body shall confirm each appointee. Of the three (3) appointees, one (1) shall be a member of the county legislative body, one (1) shall be a judge of one of the courts of record which holds court in the county and one (1) shall be a genealogist. The county clerk, or the designee of the county clerk, county register, or the designee of the county register, and the county historian shall be ex officio members of the commission. In counties having a duly appointed county archivist, that person shall also serve as an ex officio member of the commission. Each elected member of the commission shall hold office during the term for which the member was elected to office. If a vacancy occurs in one (1) of the appointed positions, the county mayor shall appoint a person in the same manner as the original appointment.

History.

Acts 1959, ch. 253, § 1; 1965, ch. 316, § 1; 1968, ch. 507, § 1; 1977, ch. 78, § 1; 1977, ch. 486, § 1; impl. am. Acts 1978, ch. 934, §§ 7, 36; T.C.A., § 15-501; Acts 1987, ch. 195, § 1; 1994, ch. 884, § 1; 1998, ch. 793, §§ 3, 4; 2002, ch. 606, § 1; 2003, ch. 90, § 2; 2006, ch. 605, § 1.

Compiler's Notes.

Acts 2003, ch. 90, § 2, directed the code

commission to change all references from "county executive" to "county mayor" and to include all such changes in supplements and replacement volumes for the Tennessee Code Annotated.

Section to Section References.

This part is referred to in §§ 8-13-108, 47-10-117.

This section is referred to in § 10-7-404.

10-7-402. Organization of commission — Compensation — Meetings.

The county records commission shall elect a chair and a secretary and shall keep and preserve minutes of all its proceedings and transactions. Members of the commission shall receive no compensation, except that any member who does not receive a fixed annual salary from the state or the county may be paid a per diem of twenty-five dollars (\$25.00) for each day of actual meeting. Members may be reimbursed for actual necessary expenses incurred in attendance upon their duties. The commission shall meet not less than twice annually.

History.

Acts 1959, ch. 253, § 9; T.C.A., § 15-502.

10-7-403. "Public records" defined.

"Public records" within the county shall be construed to mean:

(1) All documents, papers, records, books, and books of account in all county offices, including, but not limited to, the county clerk, the county register, the county trustee, the sheriff, the county assessor, the county

mayor and clerk
(2) The public
courts, including
courts of justice
these courts;
(3) The minutes

History.

Acts 1959, ch. 253, § 9; ch. 934, §§ 7, 16, 2; 1991, ch. 369, § 1; 1994, ch. 884, § 1; 2003, ch. 90, § 2.

Compiler's Notes.

Acts 1994, ch. 884, § 1, providing in the amendment that the commission be construed to permit the destruction of public records commission or municipal office records destroying or authenticating any original process proceeding.

Acts 2003, ch. 90, § 2, directed the commission to change "county executive" to "county mayor".

10-7-404. Destruction of records

(a) The county clerk shall prevent the destruction of records required by law to be photostated, filed, or preserved as hereinafter provided permanently records of the commission. A commission shall prevent the destruction of records as appropriate. Records shall be preserved by microfilm or other means as provided in this section shall be authorized to authorize the destruction of records determined by the county clerk the pertinent records as determined by the public treasury; provide for the authorization of the destruction of records by law to be retained.

(b) The county clerk shall Service of the county clerk manuals, in copies of records maintained as guides for judges of courts