

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2313 - HB 2578

June 15, 2020

SUMMARY OF ORIGINAL BILL: Requires the state, any agency, institution, and political subdivision thereof to post previously adopted written policies concerning electronic mail communications to the applicable entity's website.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENTS (018061, 018702): Amendment 018061 deletes all language after the enacting clause. Prohibits the destruction of public records by governmental entities prior to verification by the entity's public records request coordinator that such records are not subject to a pending public records request. Requires public records request coordinators to maintain written or electronic correspondence regarding a public records request for at least one year.

Amendment 018702 adds language to the bill as amended by amendment 018061 to require the Comptroller of the Treasury to provide all information and records received or generated containing allegations of unlawful conduct or fraud, waste, or abuse to members of the General Assembly, upon written request.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The proposed language establishes that any governmental entity found to have destroyed public records which were subject to a pending public records request may be subject to a fine up to \$500.
- Governmental entities will verify the status of such public records to maintain compliance with state law; therefore any increase in state or local expenditures for fines assessed is estimated to be not significant.

- Requiring governmental entities to maintain requests for one year and verify that such public records are not subject to a pending public records request prior to destruction will not result in any significant fiscal impact to state or local government.
- Pursuant to Tenn. Code Ann. § 10-7-504(a)(22)(B), all information and records received or generated by the Comptroller of the Treasury containing allegations of unlawful conduct or fraud, waste, or abuse are confidential and not open for public inspection.
- Requiring such information to be made public to members of the General Assembly upon written request will not result in any significant fiscal impact to state government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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