



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 1030**

**SENATE BILL NO. 1963**

**By Pody**

Substituted for: House Bill No. 2176

By Lynn, Powell, Leatherwood, Terry, Hardaway, Davis, Todd

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 4, Part 6 and Title 8, Chapter 44, Part 1, relative to public meetings.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-44-106, is amended by adding the following as a new subsection:

(e) If a court finds that a governing body knew that a meeting of the body was subject to the requirements of this part and willfully refused to comply, the court may, in its discretion, assess all or part of the reasonable costs incurred by the petitioners in enforcing the provisions of this part, including reasonable attorneys' fees, against the governing body. In determining whether the action of the governing body was willful, the court may consider the testimony and other guidance provided to the governing body by staff of the office of open records counsel created pursuant to § 8-4-601.

SECTION 2. Tennessee Code Annotated, Section 8-44-102, is amended by deleting subdivision (b)(2) and substituting:

(2) "Meeting" means the convening of a governing body of a public body to make a decision or to deliberate toward a decision on any matter. "Meeting" does not include any on-site inspection of any project or program.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.


SENATE BILL NO. 1963

PASSED: April 24, 2024

  
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RANDY McNALLY  
SPEAKER OF THE SENATE

  
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CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 28<sup>th</sup> day of May 2024

  
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BILL LEE, GOVERNOR