

SENATE BILL 2239

By Norris

AN ACT to amend Tennessee Code Annotated, Section 11-1-102, relative to certain department of environment and conservation records.

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

SECTION 1. Tennessee Code Annotated, Section 11-1-102(c), is amended by deleting the following language:

(c) Notwithstanding any law to the contrary, the following records as defined by § 10-7-301 of any division of the department of environment and conservation shall be confidential and shall not be open for inspection by members of the public:

(1) Concerning radioactive materials regulated by the United States nuclear regulatory commission or by a state under an agreement with the nuclear regulatory commission pursuant to § 274(b) of the Atomic Energy Act, codified in 42 U.S.C. § 2021(b);

and substituting instead the following:

(c) Notwithstanding any law to the contrary, the following records as defined by § 10-7-503 of any division of the department of environment and conservation shall be confidential and shall not be open for inspection by members of the public:

(1) Concerning radioactive materials regulated by the United States nuclear regulatory commission or by a state under an agreement with the nuclear regulatory commission pursuant to § 274(b) of the Atomic Energy Act, codified in 42 U.S.C. § 2021(b), that are not available to the public under federal law, regulation, or guidance, or nuclear regulatory commission regulatory issue summary; provided, that records made confidential pursuant to this subdivision

(c)(1) may be redacted whenever possible and made open for inspection and copying;

SECTION 2. Tennessee Code Annotated, Section 11-1-102(c), is amended by adding the following language as a new subdivision (4):

(4) Containing information regarding the specific location of a site or artifact if the commissioner or the commissioner's designee determines that disclosure of such records would create a substantial risk of damage to or destruction of either the historical value of such site or artifact or private property. For purposes of this subdivision (c)(4), "site" and "artifact" have the same meaning as defined in § 11-6-102.

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