

**RULES
OF
TENNESSEE DEPARTMENT OF HUMAN RESOURCES**

**CHAPTER 1120-13
ACCESS TO PUBLIC RECORDS**

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1120-13-.01 PRODUCTION COSTS.

Upon request for records under Tennessee's Public Records Act, T.C.A. § 10-7-501, et seq., the Department shall charge the requesting party a reasonable charge for production costs, including labor, duplication and delivery, based on the most current Schedule of Reasonable Charges issued by the Office of Open Records Counsel, available at <http://tennessee.gov/comptroller/openrecords>.

Authority: T.C.A. § 8-30-104, 8-30-105, and 10-7-501, et seq. **Administrative History:** (For history prior to January 2, 1988, see pages 1-2 of the Introduction at the beginning of the chapters.) Repeal and new rule filed November 18, 1987; effective January 2, 1988. Repeal and new rule filed December 14, 2010; effective May 31, 2010. Repeal and new rule filed July 5, 2012; effective October 3, 2012.

1120-13-.02 PAYMENT OF PRODUCTION COSTS. The Department shall provide the requesting party an estimate of the production costs, including labor, duplication and delivery, before the initial production of the requested documents. The Department shall require the requesting party to provide full payment of the production costs before copies of the requested records are delivered or otherwise made available.

Authority: T.C.A. § 8-30-104, 8-30-105, and 10-7-501, et seq. **Administrative History:** (For history prior to January 2, 1988, see pages 1-2 in the Introduction at the beginning of the chapters.) Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; effective December 25, 1994. Repeal and new rule filed December 14, 2010; effective May 31, 2011. Repeal and new rule filed July 5, 2012; effective October 3, 2012.

1120-13-.03 WAIVER OF PRODUCTION COSTS.

- (1) The Department shall waive production cost if the total production cost, including labor, duplication and delivery, is less than ten dollars (\$10).
- (2) When the requesting party is a federal, state or local government agency, the Department shall provide the requested copies of public records without charge. A request made by a federal, state, or local government agency on behalf of a citizen under the Tennessee Public Records Act shall be treated as a request by a citizen and charged accordingly.

Authority: T.C.A. § 8-30-104, 8-30-105, and 10-7-501, et seq. **Administrative History:** Original rule ruled December 14, 2010; effective May 31, 2011. Repeal and new rule filed July 5, 2012; effective October 3, 2012.

1120-13-.04 REDUCTION OF FEES. The Commissioner may reduce any part of the fees calculated under these rules upon a determination that such reduction is in the best interest of the public.

Authority: T.C.A. § 8-30-104, 8-30-105, and 10-7-501, et seq. **Administrative History:** Original rule filed December 14, 2010; effective May 31, 2011. Repeal and new rule filed July 5, 2012; effective October 3, 2012.