

Amendment No. 1 to SB0868

**Person
Signature of Sponsor**

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 868*

House Bill No. 1618

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 10-7-504, is amended by adding the following as a new subpart to subsection (a):

() The home and work addresses and telephone numbers, social security number, and any other information requested to be held confidential which could reasonably be used to locate the whereabouts of any individual may be treated as confidential by the records custodian if that individual has obtained an order of protection pursuant to Tennessee Code Annotated, Title 36, Chapter 3, Part 6, after notice and an opportunity to be heard, and after a copy of the Order of Protection has been provided to the custodian of the particular records desired to be kept confidential.

SECTION 2. Tennessee Code Annotated, Section 36-3-604, is amended by adding the following additional order to the Order of Protection form:

IT IS FURTHER ORDERED That all public records containing the home and work addresses and telephone numbers, social security number and any other information requested to be held confidential which could reasonably be used to locate the whereabouts of the petitioner may be deemed confidential by the records custodian under the provisions of Tennessee Code Annotated, Section 10-7-504, upon a copy of this Order of Protection being provided to the records custodian of the particular records sought to be held confidential.

SECTION 3. Tennessee Code Annotated, Section 10-7-504, is amended adding the following as a new subpart to subsection (a):

Amendment No. 1 to SB0868

**Person
Signature of Sponsor**

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 868*

House Bill No. 1618

() The home and work addresses and telephone numbers, social security number, and any other information requested to be held confidential which could reasonably be used to locate the whereabouts of any individual may be treated as confidential by the records custodian if that individual has obtained a restraining order prohibiting violence against that individual, and after a copy of the restraining order has been provided to the custodian of the particular records desired to be kept confidential.

SECTION 4. Tennessee Code Annotated, Section 10-7-504, is amended by adding the following as a new subpart to subsection (a):

() The telephone number, address and any other information which could be used to locate the whereabouts of a domestic violence shelter or rape crisis center may be treated as confidential by the records custodian and shall not be open for inspection by members of the public upon the shelter or crisis center giving written notice to any governmental agency having such information that it is invoking the protection of this subpart.

SECTION 5. Tennessee Code Annotated, Title 36, Chapter 3, part 6, is amended by adding the following as a new section:

36-3-6___. The records of domestic violence shelters and rape crisis centers may be treated as privileged by the records custodian and not subject to subpoena unless the individual to whom the records pertain authorizes their release.

SECTION 6. Tennessee Code Annotated, Section 10-7-504, is amended by adding the following as a new subpart to subsection (a):

Amendment No. 1 to SB0868

**Person
Signature of Sponsor**

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 868*

House Bill No. 1618

() The home and work addresses and telephone numbers, social security number, and any other information requested to be held confidential, which could reasonably be used to locate the whereabouts of any victim or witness in a criminal case, whether pending or completed, may be treated as confidential by the records custodian if a court order has been issued upon request of a district attorney for an order to protect the confidentiality of that information, and after a copy of the order has been provided to the custodian of the particular records desired to be kept confidential. The same records described in this subpart pertaining to a victim of rape or domestic violence, may be treated as confidential by the records custodian if an affidavit from the director of a rape crisis center or domestic violence shelter certifying that the individual is a victim in need of the protection of this subpart is provided to the custodian of the particular records desired to be kept confidential. Nothing in this subpart shall, in a criminal case, prevent the district attorney and counsel for the defendant, from providing to each other information which otherwise would be held confidential under this subpart, in pending cases where the constitutional rights of the defendant require it.

SECTION 7. This act shall take effect upon becoming law, the public welfare requiring

it.