

HOUSE BILL 867
By Kisber

AN ACT to amend Tennessee Code Annotated, Section 10-7-504,
to protect confidential information and ensure state
security.

WHEREAS, the General Assembly finds that there is a danger of computer crime and
other abuse of electronic data management programs and resources used by public entities in
the State of Tennessee; and

WHEREAS, this poses a threat to the orderly functioning of government and the
provision of necessary services to citizens of this state; and

WHEREAS, it has never been the intention of the General Assembly to allow disclosure
of records which would compromise the security of confidential information or government
property; and

WHEREAS, a narrow limitation on the broad scope of the public records law of this state
is necessary to protect the integrity of state operations and the privacy rights of Tennessee
citizens; now, therefore,

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

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

(19)

(A) Records that would allow a person to obtain unauthorized access to confidential information or to government property shall be maintained as confidential. For the purpose of this section, "government property" includes electronic information processing systems, telecommunication systems, or other communications systems as well as physical property of a governmental entity subject to this chapter. Such records include:

(i) Information including and containing plans, security codes, passwords, combinations, or computer programs used to protect confidential information, government property, or officers and employees of a governmental agency;

(ii) Information that would identify those areas of structural or operational vulnerability that would permit unlawful disruption to, or interference with, the services provided by a governmental entity; and

(iii) Information that could be used to disrupt, interfere with, or gain unauthorized access to confidential information or government property.

(B) Documents concerning the cost of protecting government property or confidential information, and the identity of vendors providing goods or services used to protect government property or confidential information, shall not be confidential. However, any documents relating to these subjects shall not be made available to the public unless information that is confidential under this subsection or any other provision of this chapter has been redacted or deleted from the documents.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

