



March 31, 2025

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# Maintenance of Confidentiality

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Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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# Maintenance of Confidentiality

Reference Number: CTAS-1168

Any record that is designated as confidential must be treated as confidential by the agency with custody of the record throughout the maintenance, storage, and disposition of the record. This includes destroying the record (if it is eligible for destruction) in such a manner that the record cannot be read, interpreted, or reconstructed<sup>[1]</sup>. However, once a confidential record has been in existence more than 70 years, it shall be open for public inspection by any person unless disclosure of the record is specifically prohibited or restricted by federal law or unless the record is a record of services for mental illness or retardation.<sup>[2]</sup> This "70-year rule" also does not apply to adoption records, records maintained by the office of vital records, and records of the TBI that are confidential.<sup>[3]</sup>

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[1] T.C.A. § 10-7-504(b). See also Op. Tenn. Att’y Gen. 01-040 (March 19, 2001).

[2] T.C.A. § 10-7-504(c).

[3] T.C.A. § 10-7-504(c).

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