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Miscellaneous Authority

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

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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Reference Number: CTAS-175

Promulgating Rules and Regulations

In conjunction with its general oversight authority the county public records commission is authorized to promulgate rules and regulations over certain matters under its jurisdiction. Pursuant to state law, the records commission has the authority to establish rules and regulations regarding the making, filing, storage, exhibiting, and copying of reproductions of records.^[1] Such rules and regulations must be approved by the majority of the voting members of the records commission and must be signed by the chair of the commission.^[2] The rules and regulations should include, but need not be limited to, the following:

1. Standards and procedures for the reproduction of records for security or for disposal of original records in all county offices;
2. Procedures for compiling and submitting to all county offices lists, schedules, or time tables for disposition of particular records within the county; and
3. Procedures for the physical destruction or other disposition of public records.

Lamination

The law also expressly authorizes the records commission to provide for the lamination of permanent records.^[3] This, however, is one of those cases where the law was too quick to embrace a technology. Instead of protecting documents, the lamination process too often destroys the very documents it is intended to preserve. For this reason, **the Tennessee State Library and Archives strongly recommends that permanent records not be laminated** but rather encapsulated in mylar sleeves.^[4]

Establishing Copying Charges

The records commission has the power to establish charges and to collect such charges for making and furnishing or enlarging copies of records.^[5] (This authority applies usually to records in county archives. Often, office specific statutes govern the fees charged for copies of records in particular offices such as the register of deeds or court clerk.) While it will be up to the county legislative body to determine how to allocate these revenues, counties may want to consider "re-investing" them in equipment, supplies, or personnel expenses related to records management and records preservation.

^[1]T.C.A. § 10-7-411.

^[2] T.C.A. § 10-7-411(c).

^[3]T.C.A. § 10-7-413(b).

^[4] See Tennessee Archives Management Advisory 99-009.

^[5]T.C.A. § 10-7-409.

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