



## **WILSON COUNTY ELECTION COMMISSION OPEN RECORDS POLICY AND PROCEDURES**

This Open Records Policy and Procedures document is adopted by the Wilson County Election Commission on September 13, 2011. This policy is adopted to balance the Election Commissions need to function efficiently and openly and to maintain the integrity of records with the public's right to access records pursuant to the Tennessee Public Records Act.

It is the policy of the Wilson County Election Commission to maintain, retain and dispose of all records as required by state law. It is also the policy of the Wilson County Election Commission to give the citizens of Tennessee the fullest possible access to public records.

Definition of Public Records: "Public record or records' or state record or records' means all documents, papers, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics made or received pursuant to law or ordinance with the transaction of official business by any government agency" TCA 0-7-503 (a) (1)

All records of the Wilson County Election Commission are open to Tennessee citizens for inspection and/or copying, the Wilson County Election Commission has adopted this written policy document to delineate reasonable rules governing the manner in which records requests are to made and fulfilled.

Records must be open to public inspection - *T.C.A. § 10-7-503* provides that all state, county and municipal records, except any public documents authorized to be destroyed by the county public records commission in accordance with *T.C.A. § 10-7-404*, shall at all times, during business hours, be open to public inspection.

The records shall be open for personal inspection by any citizen of Tennessee.

The record keeper shall not refuse such right of inspection to any citizen, unless otherwise provided by state law.

*Any information regarding absentee requests and applications shall be confidential and not subject to the Open Records Law compiled in title 10, chapter 7, until the end of the early voting period (Acts of 2007, ch. 152, section1).*

*Social Security numbers will in all cases be redacted from any record provided to the public.*

*There may be other personal information redacted as required by state or federal statute.*

1. There will be no charge to inspect a document in the Wilson County Election Commission Office during regular business hours.
2. Any person requesting documents must show a picture ID that includes an address.

3. Document requests will be made in writing in a form that includes the requestors name, address, date, specific document requested and form they want the document in for viewing. This is used for internal planning and budgeting purposes but does fall under the open records statutes and will be an open record.
4. In most cases documents can be provided in a timely manner. The Election Commission has up to 7 days from the date of the request to provide the documents requested. (TCA 10-7-503 (a)(2)(B))
5. During the period 3 business days from the first day of Early Voting and 5 business days after Election Day, document requests may not be provided in a timely manner.
6. During the aforementioned period the requestor will be provided with a letter stating our open records office policy and a statement informing them that their request may not be honored within the 7-day period since they have made the request during this very busy period. The requester will be required to sign signifying their receipt and understanding of the statement.
7. To facilitate easy access, the Wilson County Election Commission will make every effort to provide as many documents of interest to the public as possible on the Wilson County Election Commission website.
8. The public is encouraged to make additional documents they would like to see available online known to the Administrator of Elections for possible inclusion on the website.
9. No original documents may be removed for any reason from the Wilson County Election Commission Office, except as specified in state law.
10. The cost of copies, media production and/or any other production or labor costs associated with complying with a specific records request will be known to and approved in writing by the requester prior to their request being processed and will in all cases adhere to any uniform pricing system established by the state of Tennessee.
11. In the event the records requested cannot be copied or reproduced by the Election Commission office and an outside vendor must be used, the requestor will be informed in writing along with the projected cost before any copying is done.
12. Voter lists must be requested in writing on the forms provided by the Election Commission office and signed by the person requesting the list. T.C.A. §2-2-138.
13. Early Voting lists for each day of voting will be available online no later than the opening of polls the next day. Printed lists will be available for the previous days voting from the Election Commission Office during regular business hours.
14. All Social Security numbers and any other information required by law will be redacted from documents before being delivered to requester.
15. Commonly requested records may be produced in anticipation of demand and sold at a reduced rate at the Election Commissions discretion.
16. When a requestor is unclear about what records are being requested a Wilson County Election Commission employee will contact the requestor in an effort to clarify and/or narrow the request. If we are still unable to determine what is being requested, the request will be denied based on the requestors failure to sufficiently identify the requested records.
17. All records will be provided in a format determined by the Election Commission but that in no way distorts or inhibits public access to the records.
18. All sections of this policy do not apply to non-Tennessee citizens.

