



STATE OF TENNESSEE  
DEPARTMENT OF GENERAL SERVICES

STEVEN G. CATES  
COMMISSIONER

BILL HASLAM  
GOVERNOR

**MEMORANDUM**

**TO:** The Honorable Tre Hargett, Secretary of State  
The Honorable Justin Wilson, Comptroller of the Treasury  
The Honorable David Lillard, State Treasurer  
Joseph Barnes, Director, Legal Services  
Steven G. Cates, Secretary

**FROM:** Thaddeus E. Watkins, III <sup>TEW</sup>  
General Counsel, Department of General Services

**DATE:** July 31, 2012

**SUBJECT:** Clarification of PRC Rule

There are Records Disposition Authorizations (RDAs) requiring records to be kept at specific locations that have the potential to delay the planned moves of the office locations of several agencies. The early stages of the following agencies' moves are slated to begin before the next Public Records Commission meeting:

- Finance and Administration;
- Tourist Development;
- Human Services;
- Mental Health;
- TN Commission on Children and Youth; and
- Commerce and Insurance.

To delay the physical move of state departments and agencies to new locations based on dated RDAs requiring documents to be kept at specific locations will affect the moves, causing the state to spend money that would not otherwise be necessary.

Many RDAs include a notation that the records are to be stored "in agency". This memorandum serves to clarify that the definition of "agency" in the Rules of Public Records Commission Chapter 1210-1-2(7) includes the location of any third party contractors who, pursuant to law, have a contract with the state to manage the state's records.