



County Technical Assistance Service

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Records with Commercial Value

Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily 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 e-Li material.

Sincerely,

The University of Tennessee
County Technical Assistance Service
226 Capitol Blvd. Suite 400
Nashville, TN. 37219
615-532-3555 phone
615-532-3699 fax
ctas@tennessee.edu
www.ctas.tennessee.edu

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Records with Commercial Value

Reference Number: CTAS-1159

The legislature has recognized that in certain circumstances, a governmental agency may expend a great deal of money developing a record with great commercial value. That record in turn may then be requested by a company who only has to pay a small fee for a reproduction of the information which may be used to generate significant amounts of revenue. Therefore, the legislature in 2000 amended T.C.A. § 10-7-506 to add provisions that protect the investment of government resources specifically in computer generated maps or geographic information systems. These systems are expensive to develop and have numerous profitable commercial applications once the data is developed. Private entities could acquire a copy of the data and regular updates for practically no cost then profit greatly by selling subscriptions to the data. For this reason, the legislature allowed governments to also recover a portion of the actual development and maintenance costs when providing copies of computerized mapping systems or data to persons other than the news media or individuals for non-business use. While this general statute is limited to electronic geographic records, an additional statute applicable only to court clerks offices in Knox and Shelby counties allows those officials to charge a fee not to exceed \$5 for computer searches for any public record having a commercial value.^[1]

^[1] T.C.A. § 8-21-408.

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