



County Technical Assistance Service

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Destruction of and Tampering with Governmental Records

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,

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Destruction of and Tampering with Governmental Records

Reference Number: CTAS-649

Pursuant to T.C.A. § 39-16-504, it is unlawful for any person to:

1. Knowingly make a false entry in, or false alteration of, a governmental record;
2. Make, present, or use any record, document or thing with knowledge of its falsity and with intent that it will be taken as a genuine governmental record; or
3. Intentionally and unlawfully destroy, conceal, remove or otherwise impair the verity, legibility or availability of a governmental record.

A violation of this section is a Class E felony. T.C.A. § 39-16-504(b). See *State v. Chumbley*, 2007 WL 1774250 (Tenn.Crim.App. 2007) (jail administrator convicted of official misconduct and destruction of and tampering with governmental records). See also Op. Tenn. Atty. Gen. 03-057 (May 1, 2003) (if a register of deeds determines that a recorded deed was not entitled to registration, the register is not authorized to remove the recorded deed but may record an instrument stating that the deed in question was not entitled to registration).

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