



Center for Local Planning
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Compliance with TCA § 8-44-110: Posting of Planning Commission and Board of Zoning Appeals Meeting Agendas on Local Government Websites

A Policy Guide for Local Planning Agencies

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Key Takeaway

TCA § 8-44-110 requires Planning Commission, Board of Zoning Appeals and other agendas to be posted at least 48 hours before meetings, including on the local government's website if one exists. Failure to comply could result in the invalidation of actions taken by the Planning Commission or Board of Zoning Appeals.

Overview

TCA § 8-44-110 has been amended in recent years to expand agenda and online posting requirements for local governments. For local planning officials, this change directly affected how meetings are prepared, noticed, and conducted by extending requirements to include numerous boards and committees, including Municipal and Regional Planning Commissions and Boards of Zoning Appeals.

What Does the Law Say?

TCA § 8-44-110 in its current form contains numerous amendments to the state's open records law that have been approved in recent years. State and local governing bodies must make their agendas freely available at least 48 hours in advance of a meeting. In 2025, TCA § 8-44-110 was amended to expand these requirements to also include Planning Commissions and Boards of Zoning Appeals, in addition to other bodies such as utilities boards, industrial development boards, housing authorities, airport authorities, election commissions and budget committees. In 2026, the General Assembly amended the law again to include school boards and other public bodies which are authorized to appropriate funds or make binding decisions. **In addition, and perhaps most significantly, TCA § 8-44-110 requires that local governments that maintain a website must post these meeting agendas on their website at least 48 hours prior to a regular meeting.**

Key Requirements

1. Agendas must be made available to the public for free at least forty-eight (48) hours prior to a regular meeting.
2. If the local government maintains a website, the agenda must be placed on the website within 48 hours of any regular meeting. There is no flexibility in this requirement.
3. The agenda must reasonably describe the matters to be deliberated or acted upon during the public meeting.

4. Boards and commissions may deliberate or act upon matters not listed on the agenda of its regular meeting if they follow their bylaws or properly adopted rules and procedures and if they comply with all other applicable state laws.
5. Boards and commissions may not withhold items from an agenda for the purpose of avoiding public disclosure of business to be considered.

Effect

TCA § 8-44-110 imposes a significant new requirement on local governments. The statute also provides significant public benefit by affording greater opportunity to review agendas prior to meetings. In addition, by requiring the posting of agendas on the local government's website, the bill encourages the utilization of the municipal website as a central database for archiving records in a publicly accessible online location. Also, electronic communications may result in cost savings by reducing the number of copies printed, as well as staff time spent collating documents, therefore reducing costs to the public.

It must be noted that the language of TCA § 8-44-110 is not permissive. Local governments that maintain a website yet fail to post relevant agendas there may be subject to liability. Failure to comply could result in the invalidation of actions taken by Planning Commissions, Boards of Zoning Appeals and other bodies.

Best Practices for All

1. ***Practice transparency.*** After publishing the agenda on the website, significant items should not be added or substantially amended. In general, it is advised to defer such items to the next available meeting if possible. Communities should consult closely with legal counsel in situations in which adding or amending agenda items is unavoidable.
2. ***Amend By-Laws and/or Zoning Ordinances.*** State law requires that Planning Commissions and Boards of Zoning Appeals must be governed by written rules of procedure. Planning Commissions typically adopt a set of by-laws as a standalone document. The rules of procedure for Boards of Zoning Appeals are adopted by the local legislative body and are typically located in the Zoning Ordinance. Communities should locate these items and review them for compliance with the requirements of TCA § 8-44-110.
3. ***Formalize submittal calendars.*** Communities should consider enacting a formal deadline for submittal of all items to appear on Planning Commission and Board of Zoning Appeals agendas.

This can be done by publishing an annual submittal calendar. Doing so ensures that items are not added to the agenda without adequate time for review.

4. **Include other boards and commissions.** The most recent 2026 update to TCA § 8-44-110 requires that any public body which makes binding decisions is subject to these requirements. This may also include Design Review and Historic District committees, Construction Boards of Appeals and others. Local governments should publish the agendas of any board or commission that could potentially be subject to the law in accordance with the statute.
5. **Publish meeting packets.** Where resources permit, local governments should consider online publication of additional documentation related to upcoming meetings. These materials may include staff reports and presentations, maps, plats, studies, and other documentation that will be included in the meeting packet. This helps ensure that the public has access to all information that the review body will utilize during the meeting.
6. **Communities without a website.** Cities and counties without a website may display the final agenda on a public bulletin board that is visible to the public, such as an open lobby area of the building in which the meeting shall take place. *Again, communities with a website must post agendas on that website at least 48 hours prior to the meeting.*
7. **Social Media.** While social media platforms may not substitute for posting the agenda on the website, platforms such as Facebook may be used to supplement the community's distribution of upcoming agendas.
8. **Paper copies.** In addition to posting agendas on the website, local governments should continue posting paper copies at the place of public assembly in order to ensure the public has free and accessible viewing of the agenda, regardless of whether they have internet service.

Conclusion

TCA § 8-44-110 imposes an important ongoing responsibility on local governments. More importantly however, TCA § 8-44-110 strengthens transparency in local decision-making. For Planning Commissions and Boards of Zoning Appeals this means fewer surprises, better preparation, and improved public trust.

Need Assistance?

The Center for Local Planning stands ready to provide advice to local governments as they work to comply with these statutory requirements by improving meeting practices, updating by-laws and creating updated internal processes. Communities with questions may submit a request for assistance to planning@tennessee.edu.



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