



State of Tennessee

PUBLIC CHAPTER NO. 1048

HOUSE BILL NO. 2616

By Representative Moon

Substituted for: Senate Bill No. 2162

By Senators Briggs, Haile

AN ACT to amend Tennessee Code Annotated, Title 8, relative to executive sessions for consideration of employment by a governing body.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-44-102, is amended by adding the following as a new subsection:

(e)

(1) A governing body may conduct an executive session for the purpose of interviewing applicants for employment as director-level staff of the body. A governing body conducting an executive session pursuant to this subsection (e):

(A) Is not required to provide public notice of such executive session;

(B) Shall not make hiring decisions or deliberate in the executive session. All deliberation and voting must be done in an open, publicly noticed meeting;

(C) Shall cause the minutes of such session to disclose all persons who were in attendance, except the applicants who attend for the purpose of being interviewed by the governing body;

(D) Shall limit attendance to members of the governing body, relevant staff invited by the body, and the applicants;

(E) Shall treat an applicant's application materials as confidential, and such materials are not open to public inspection, upon request by the applicant; and

(F) Shall treat the selected applicant's interview, if recorded, and application materials as public records, subject to a public records request pursuant to § 10-7-503, upon the applicant being selected for employment or appointment. Notwithstanding § 10-7-503, the application materials and interview of applicants not selected must remain confidential upon request.

(2) As used in this subsection (e), "director-level" means a position that:

(A) Is filled by the mayor or a vote of the governing body or by the mayor with confirmation by the governing body, excluding the chief of police; and

(B) Has authority over the operation and employees of a department, agency, or division of the governmental entity.

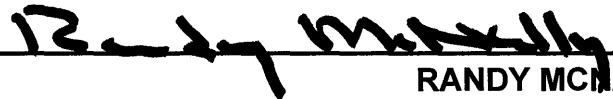
SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

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PASSED: April 15, 2026



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 21st day of May 2026



BILL LEE, GOVERNOR