

**CHAPTER NO. 436**

**HOUSE BILL NO. 968**

**By Representatives Kernell, Brooks, Cooper**

**Substituted for: Senate Bill No. 805**

**By Senator Harper**

AN ACT relative to agency rules scheduled to expire pursuant to the provisions of the Uniform Administrative Procedures Act, contained within Tennessee Code Annotated, Title 4, Chapter 5.

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

SECTION 1. (a) All permanent rules duly filed in the office of Secretary of State between January 1, 2000 and December 31, 2000, which are in effect on the effective date of this act, and which are scheduled for expiration by the provisions of Tennessee Code Annotated, Section 4-5-226, on June 30, 2001, shall not expire on June 30, 2001, but shall remain in effect until repealed or amended by subsequent rule of the appropriate rulemaking agency or until otherwise superseded by force of law.

(b) The provisions of this section shall not be construed to justify the continued effectiveness of any rule included within the provisions of subsection (a) if such rule conflicts with the provisions of any enactment other than Tennessee Code Annotated, Section 4-5-226.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. Public Chapter 327 of the Public Acts of 2001 is amended in subsection (c) of Section 10 by deleting the language "in 1990" and by substituting instead the language "in 1991".

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

**SECTION 5.**

(a) No changes in adult to child ratios for ages 0 through 35 months pursuant to Rules 1240-4-3-.07(4)(e) parts (2), (3), and (4), Child Care Centers Serving Pre-School Age Children as described in the Grouping and Adult: Child Ratio Charts in parts 9-14, that were enacted by public necessity rule on July 1, 2000, and by permanent rule on December 13, 2000, and which are scheduled to become effective on July 1, 2001, shall be implemented or become operational until February 1, 2002.

(b) The adult to child ratios for ages 0 through 35 months pursuant to Rule 1240-4-3-.07(4)(e), as described in the Grouping and Adult:Child Ratio Charts in parts 7 and 8, that were enacted by public necessity rule on July 1,

2000, and by permanent rule on December 13, 2000, and which are scheduled to become effective on July 1, 2001, shall remain in effect until February 1, 2002.

(c) No changes in adult to child ratios pursuant to Rules 1240-4-6-.07(4)(f)(1), of the licensure rules for Child Care Centers Serving School Age Children as described in the Grouping and Adult: Child Ratio Charts, that were enacted by public necessity rule on July 1, 2000, and by permanent rule on December 13, 2000, and which are scheduled to become effective on July 1, 2001, shall be implemented or become operational until February 1, 2002.

(d) The adult to child ratios for ages 0 through 35 months pursuant to Rule 1240-4-6-.07(4)(f) part (1), as described in the Grouping and Adult: Child Ratio Charts that were enacted by public necessity rule on July 1, 2000, and by permanent rule on December 13, 2000, and which are scheduled to become effective July 1, 2001, shall remain in effect until February 1, 2002.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: June 29, 2001**

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

**APPROVED this 30<sup>th</sup> day of June 2001**

  
DON SUNDQUIST, GOVERNOR