

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 216 – SB 467

March 30, 2015

**SUMMARY OF ORIGINAL BILL:** Requires, the Government Operations Committees to review every rule promulgated pursuant to the UAPA; decreases, from 25 to 10, the number of persons that must petition an agency to compel a public hearing on a proposed rule; requires the committees to consider the effect of a rule on small business and the arbitrariness and capriciousness of a rule. Requires the Secretary of State to post notice of the committee's disapproval of a rule to the administrative register on the Secretary's web site as soon as possible after the committee meeting in which such action was taken.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENTS (005123, 004224, 004516):** Amendment 005123 changes "willful and unreasonable" to "willfull or unreasonable" regarding independent conditions in the definition of "arbitrariness and capriciousness." Amendment 004224 reverts back to current language for "jeopardizes" as it currently appears in Tenn. Code Ann. § 4-5-208(a)(4). Amendment 004516 makes section six of the bill applicable to all businesses; not just small businesses.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The Department of State confirms that there is no operational impact that will affect the department's expenditures.
- Any increase in expenditures for modifications to forms is considered negligible.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

Handwritten signature of Jeffrey L. Spalding in black ink.

Jeffrey L. Spalding, Executive Director

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