

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 261 – SB 377

February 29, 2016

SUMMARY OF ORIGINAL BILL: Extends, from 40 to 45 days, the time period for the Fiscal Review Committee to comment on proposed non-competitive contracts and amendments.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (013076): Deletes all language after the enacting clause of the original bill. Requires the Chief Procurement Officer (CPO), no later than 120 days after the effective date of this act, to publish, using credible information freely available to the public, a list of persons determined to engage in investment activities in Iran. Requires this list to be posted on the state's website and updated every 180 days using credible and freely available, public information. Requires the CPO, before including a person on the list, to provide a 90-day written notice to the individual of the state's intention to include such person on the list if the state is reasonably able to provide such notice by electronic communication or through the U.S. postal service. Requires the notice to inform the person that inclusion on the list would make the person ineligible to contract with the state. Specifies that nothing in section requires a contested case hearing as set forth in the Uniform Administrative Procedures Act. Requires a person contesting being placed on such list to exhaust all administrative remedies prior to the initiation of any judicial review of being placed on such list. Authorizes a person engaged in investment activities in Iran to contract with the state on a case-by-case basis in certain circumstances.

Requires the CPO to make an annual report to the Speakers of the Senate and the House of Representatives and to the Governor by October 1 each year on the status of the federal Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195); the Iran Divestment Act of 2014; and any rules or regulations adopted thereunder.

Requires the Secretary of State, in consultation with the Attorney General and Reporter, to provide a written notice to the Attorney General of the United States describing this act within 30 days of the effective date.

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FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

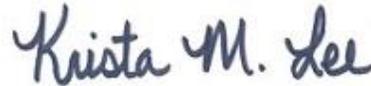
Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Based on information from the Department of Financial Institutions, the proposed legislation would not have a significant impact on the Department’s processes and will have no fiscal impact. There is a similar process currently in place by which persons contracting with any state agency make certification regarding alien status.
- Based on information from the CPO, there will not be a significant fiscal impact to the department resulting from the reporting requirements of the proposed legislation.
- Any increase in workload as a result of the proposed legislation to the Secretary of State or the Attorney General can be accommodated within existing resources without an increased appropriation or reduced reversion.

CERTIFICATION:

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



Krista M. Lee, Executive Director

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