

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2098 - SB 2286

February 10, 2020

SUMMARY OF BILL: Clarifies that a party seeking judicial review of a contested case hearing may be awarded reasonable expenses, including attorney fees, incurred due to the issuance of a citation to the party by a state agency.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. § 4-5-325(a), at the conclusion of a contested case hearing, a party is authorized to be awarded reasonable expenses, including attorney fees, incurred due to the issuance of a citation to the party by a state agency if the citation is found to be unwarranted.
- Pursuant to Tenn. Code Ann. § 4-5-325(b), if a final decision in a contested case hearing results in the party issued a citation to seek judicial review, the party is authorized to be awarded the same reimbursement as was determined during the contested case hearing.
- The proposed legislation clarifies that a party seeking judicial review is authorized to be awarded the same expense reimbursement, including attorney fees, as was deemed appropriate during a contested case hearing.
- No significant fiscal impact to state or local government.

CERTIFICATION:

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

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director

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