

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2282 - SB 2360

March 9, 2020

SUMMARY OF BILL: Prohibits public schools and public charter schools from using public funds to become members or maintain a membership in an association that regulates interscholastic athletics if certain conditions for hearings on student-athlete eligibility are not met.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Current law pursuant to Tenn. Code Ann. § 49-2-132 governs public school and public charter school membership in an association that regulates interscholastic athletics; it prohibits the use of public funds unless the association's governing board complies with certain open meeting laws.
- The Tennessee Secondary School Athletic Association (TSSAA) bylaws establish eligibility requirement for student-athletes in Tennessee. The Director of the TSSAA enforces those bylaws and those decisions are subject to review by the TSSAA Board of Control.
- The proposed legislation will move the responsibility for determining student-athlete eligibility from the TSSAA; it will require all hearings related to student-athlete eligibility to be heard by an administrative law judge in the Administrative Procedures Division (APD) of the Office of the Secretary of State (SOS).
- The APD provides professional administrative judges to resolve disputes between citizens and governmental agencies; these matters are governed by the Uniform Administrative Procedures Act.
- The APD employs 18 administrative law judges that preside over cases throughout the state; the location of the hearing depends on the case and the parties involved.
- Citizens may appeal to a government agency to bring forth a complaint before an administrative law judge.
- The filing fee for an administrative hearing is \$200, which includes the first 2 hours of the hearing; the complainant is charged this amount and any additional fees if the case takes longer than 2 hours to adjudicate.
- Agencies that bring cases on behalf of citizens may seek reimbursement, but this practice varies by agency and is not a uniform practice. Any impact to the Department of Education or local education agencies is estimated to be not significant.

- Based on information provided by APD and TSSAA, any impact on state expenditures for the two entities is estimated to be not significant.

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". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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