

Amendment No. 2 to HB2009

**Faison
Signature of Sponsor**

AMEND Senate Bill No. 2011

House Bill No. 2009*

by deleting the amendatory language of Section 2 and substituting the instead the following:

Discipline of licensed personnel for misconduct by formal reprimand or by the suspension and revocation of licenses and certificates; provided, that the policies provide licensed personnel with timely due process and are otherwise in compliance with the due process requirements of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5;

AND FURTHER AMEND by adding the following language as a new Section 3 and renumbering existing Sections 3 and 4 as Sections 4 and 5 respectively:

SECTION 3. Tennessee Code Annotated, Title 49, Chapter 5, Part 2, is amended by adding the following as a new section:

(a) A preliminary, procedural, or intermediate licensure action or ruling of the state board of education is immediately reviewable under § 4-5-322 if review of the board's final decision would not provide an adequate remedy.

(b) If, on appeal to the chancery court pursuant to § 4-5-322, the court reverses or modifies the state board of education's decision upon a finding that the rights of the petitioner have been prejudiced as specified in § 4-5-322(h)(1)-(5), then the state board of education shall institute the further proceedings as ordered by the court. If the petitioner's license is reinstated after judicial review, the petitioner shall be paid the full salary for the period during which the petitioner's license was improperly suspended or revoked.

AND FURTHER AMEND by deleting Section 5 (the effective date section) and substituting instead:

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SECTION 5. Section 1 of the act shall take effect July 1, 2018, the public welfare requiring it. Sections 2, 3, and 4 of this act shall take effect upon becoming a law, the public welfare requiring it.