

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 362 - SB 295**

March 25, 2017

**SUMMARY OF BILL:** Prohibits the Department of Environment and Conservation (TDEC) from issuing permits that have not been reviewed by the General Assembly under the Uniform Administrative Procedures Act.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumption:

- According to TDEC, the Department issued 40,172 permits in FY15-16.
- Pursuant to Tenn. Code Ann. § 68-203-103(g)(3), permit application processing fees shall be refunded if a final decision is not made on a permit within the timeframe established in the regulations.
- Pursuant to Tenn. Code Ann. § 4-5-226(c), Government Operations Committees should strive to hold a hearing on a rule within 90 days of the rule's filing with the Office of the Secretary of State.
- It is assumed that the General Assembly will only review those permits TDEC has determined should be issued.
- It is further assumed that all permits will receive a final decision within the timeframe established in the regulations.
- The number of permits issued each year will not be significantly impacted by the proposed legislation.
- TDEC will ensure compliance with the additional permit review requirements using existing resources without an increased appropriation or a reduced reversion.

**CERTIFICATION:**

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

Krista M. Lee, Executive Director

/tdb