

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 566**

February 8, 2021

**SUMMARY OF BILL:** Deletes the requirement that review of a declaratory order or declaratory judgement brought against a state agency to determine the validity or applicability of a statute, rule, or order must be held in the Chancery Court of Davidson County.

Authorizes the Joint Government Operations Committee (Committee) to request an agency to repromulgate a rule that has been in existence for eight or more years or to repeal a rule deemed obsolete by the Committee. Authorizes the Committee to vote to request to suspend the agency's rulemaking authority for any reasonable period of time if the agency fails to repromulgate the rule. Establishes that all rules filed with the Secretary of State on or after July 1, 2021 expire eight years from their effective date.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Pursuant to Tenn. Code Ann. § 4-5-223(a) and § 4-5-225(a), review of declaratory orders or declaratory judgements, respectively, brought against a state agency to determine the validity or applicability of a statute, rule, or order must be held in the Chancery Court of Davidson County, unless otherwise specifically provided by statute.
- The proposed legislation removes the limitation that declaratory orders or judgements are required to be determined only in the Chancery Court of Davidson County, but does not prevent further reviews from taking place in such.
- It is assumed the majority of future declaratory order or judgement reviews will continue to take place in Davidson County, with no significant increase in travel expenditures or court costs to any state agency.
- The proposed legislation further authorizes the Committee to request an agency to repromulgate a rule that has been in existence for eight or more years or to repeal a rule deemed obsolete by the Committee.
- All rules filed with the Secretary of State after July 1, 2021 would be required to be repromulgated after eight years.
- It is not estimated there will be a significant number of existing rules required to be promulgated by agencies as a result of the proposed legislation.

- Agencies could experience an increase in expenditures to repromulgate permanent rules filed after July 1, 2021 on an eight-year basis; however, any expenditure is estimated to be minimal.
- The Committee meets throughout the year; therefore, no additional travel reimbursement or resources will be necessary for petition reviews.

**CERTIFICATION:**

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

A handwritten signature in black ink that reads "Bojan Savic". The signature is written in a cursive, slightly slanted style.

Bojan Savic, Interim Executive Director

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