



Fiscal Analyst: Arielle Woodmore | Email: arielle.woodmore@capitol.tn.gov | Phone: 615-741-2564

SUMMARY OF BILL: Prohibits a person from receiving compensation for referring an individual to another person for assistance with a veterans' benefits matter. Prohibits a person from receiving compensation for a service rendered in connection with a claim filed within one year of the veteran's active duty release, unless the veteran signs a waiver choosing to forgo free services available. Requires a person seeking to receive compensation for advising or assisting an individual with a veteran's benefit matter to memorialize specific terms in a written agreement signed by both parties and to provide a disclosure prior to entering into such agreement. Prohibits a person from charging an initial or nonrefundable fee for advising or assisting an individual on a veteran benefit matter, or from receiving compensation that exceeds five times the amount of the monthly increase in benefits awarded if the claim is successful. Requires each person with access to a veteran's medical or financial information to undergo a background check prior to having access to said information. Establishes a violation of these provisions as an unfair or deceptive act or practice under the *Consumer Protection Act of 1977*.

FISCAL IMPACT:**NOT SIGNIFICANT**

Assumptions:

- Per the proposed legislation, "person" means an individual or legal entity.
- Any increase in the number of complaints handled by the Attorney General is estimated to be not significant and can be handled by existing staff during normal work hours.
- Committing an unfair or deceptive act or practice under the *Consumer Protection Act of 1977* is a Class B misdemeanor offense.
- There will not be a sufficient number of violations for state or local government to experience any significant increase in expenditures related to prosecutions or incarceration.
- Any additional workload on the courts can be accommodated within existing resources.
- The requirement for background checks for persons with access to veterans' personal information is assumed to be satisfied by such persons undergoing a Tennessee Open Records Information Services (TORIS) check provided by the Tennessee Bureau of Investigation (TBI).
- Pursuant to Tenn. Code Ann. § 38-6-120(b), the fee for a TORIS check is \$29 per name submitted.
- The proposed legislation is not estimated to result in significant increase in revenue to the TBI related to additional TORIS checks.

IMPACT TO COMMERCE:

NOT SIGNIFICANT

Assumption:

- Any impact to commerce or jobs in Tennessee 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 "Bojan Savic". The signature is written in a cursive, slightly slanted style.

Bojan Savic, Executive Director