

HOUSE BILL 69

By McCormick

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 32, Part 1; Title 62, Chapter 32, Part 2 and Title 68, Chapter 135, Part 1, relative to civil penalties.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 62-32-111, is amended by deleting the section in its entirety and substituting instead the following language:

(a) The state fire marshal may refuse to issue, renew, suspend, or revoke a certificate of registration or license under this part, if the state fire marshal finds that the applicant, registrant, or licensee has violated this part, or any rule lawfully promulgated under this part, including, but not limited to:

(1) Obtaining or attempting to obtain a certificate of registration or license by fraudulent misrepresentation; or

(2) Willfully or consistently failing to comply with any applicable code or standard relating to the sale, installation, or service of fire protection sprinkler systems.

(b) The state fire marshal may assess a civil penalty in an amount not to exceed one thousand dollars (\$1,000) for each violation of this part or the rules lawfully promulgated under this part.

SECTION 2. Tennessee Code Annotated, Section 62-32-208, is amended by deleting the section in its entirety and substituting instead the following language:

(a) The commissioner may refuse to issue, renew, suspend, or revoke a certificate of registration, license, or permit, if the commissioner finds that the applicant,

registrant, licensee, or permit holder has violated this part or any rule lawfully promulgated under this part.

(b) The commissioner may assess a civil penalty in an amount not to exceed one thousand dollars (\$1,000) for each violation of this part or the rules lawfully promulgated under this part.

SECTION 3. Tennessee Code Annotated, Section 68-135-106, is amended by deleting the section in its entirety and substituting instead the following language:

(a) The state fire marshal may refuse to issue, renew, suspend, or revoke a certificate of registration, license, or permit, if the state fire marshal finds that the applicant, registrant, licensee, or permit holder has violated this part or any rule or regulation relating to liquefied petroleum gas promulgated by the state fire marshal under this part or any other law.

(b) The state fire marshal may assess a civil penalty in an amount not to exceed one thousand dollars (\$1,000) for each violation of this part or the rules lawfully promulgated under this part.

(c) The Uniform Administrative Procedures Act, compiled in title 4, chapter 5, governs all matters and procedures respecting the hearing and judicial review of any contested case arising under this part.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to violations occurring on or after the effective date of this act.