



State of Tennessee

PUBLIC CHAPTER NO. 328

HOUSE BILL NO. 566

By Representatives Ragan, Howell, Crawford, Smith

Substituted for: Senate Bill No. 1087

By Senator Roberts

AN ACT to amend Tennessee Code Annotated, Title 4, relative to the Uniform Administrative Procedures Act.

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

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 5, Part 2, is amended by adding the following as a new section:

(a) For the purposes of this section:

(1) "Chapter" means the grouping of rules in the secretary of state's numbering system that follows the entity control number and division, if any, but is before the individual rule number; and

(2) "Department" means an administrative department of state government included in § 4-3-101 or any other agency not administratively attached to an administrative department.

(b) By December 1, 2023, and every eight (8) years thereafter, a department with rules promulgated and published on the secretary of state's website pursuant to § 4-5-220, or with an administratively attached agency with rules promulgated and published on the secretary of state's website pursuant to § 4-5-220, shall submit a report of the department's chapters in effect as of July 1 of the year that the report is due to the chair of the government operations committee of the senate and the chair of the government operations committee of the house of representatives. The report includes:

(1) A brief description of the department's operations that each chapter affects;

(2) For each rule in a chapter, the rule's administrative history, including, but not limited to, the original date the rule was promulgated and the date the rule was last amended;

(3) A determination of whether each rule in the chapter should:

(A) Be amended or repealed;

(B) Be reviewed further; or

(C) Continue in effect without amendment; and

(4) A determination of whether each rule in the chapter adheres to current state and federal law, to court rulings, and to any other standards that affect the rule.

(c) The department shall certify the report submitted under this section. If a department intentionally makes a false statement in the report, then the government operations committee of the senate and the government operations committee of the house of representatives, meeting jointly or separately, may vote to request the general assembly to repeal a rule, or suspend any or all of the department's rulemaking authority for any reasonable period of time or with respect to any particular subject matter, by legislative enactment.

HB566

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.

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PASSED: April 19, 2021



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 4th day of May 2021



BILL LEE, GOVERNOR