

SENATE BILL 416

By Crowe

AN ACT to amend Tennessee Code Annotated, Title 3 and Title 4, Chapter 5, relative to administrative penalties.

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

SECTION 1. Tennessee Code Annotated, Title 3, Chapter 1, Part 1, is amended by adding the following as a new, appropriately designated section:

3-1-1\_\_.

(a) There is created a special joint legislative committee to consider, evaluate, and make recommendations regarding acute adverse action as defined by Section 2 of this act.

(b) The committee shall be composed of one (1) member of the senate, to be appointed by the speaker of the senate, and two (2) members of the house of representatives to be appointed by the speaker of the house of representatives.

(c) All appropriate state agencies shall provide assistance to the committee upon the request of the chairperson.

(d) The committee shall be convened by the member with the most years of continuous service in the general assembly, and at its first meeting shall elect a chairperson and such other officers as the committee deems necessary.

(e) Upon receiving notice pursuant to Section 2 of this act that an agency has taken acute adverse action against any person, the chairperson of the committee shall schedule a meeting of the committee for the purpose of determining whether the committee disagrees with the agency's taking such action. If a majority of the committee's members disagree with an agency's

taking acute adverse action against a person, the committee may recommend to each house of the general assembly the adoption of a joint resolution expressing disagreement with the agency's taking such action. Any meeting held pursuant to this subsection shall be scheduled on a day in which the general assembly has scheduled a floor session to consider legislation or on a day standing committees of the general assembly are scheduled to meet.

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

4-5-2\_\_.

(a) For purposes of this section "acute adverse action" means the assessment of any fine or other monetary penalty in an amount greater than one thousand dollars (\$1,000) or the suspension or revocation of a person's license for any period of time in excess of seven (7) days.

(b) Any agency that takes acute adverse action against any person must notify the chairperson of the committee that is created by Section 1 of this act within seventy-two (72) hours of taking such action.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.