

SENATE BILL 1748

By Roberts

AN ACT relative to agency rules scheduled to expire pursuant to the provisions of the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

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

SECTION 1.

(a) Except as provided in subsection (c), all permanent rules filed in the office of secretary of state on or after January 1, 2021, that are in effect on the effective date of this act, and that are scheduled for expiration under Tennessee Code Annotated, Section 4-5-226, on June 30, 2022, do not expire on June 30, 2022, but remain in effect until repealed or amended by subsequent rule of the appropriate rulemaking agency or until otherwise superseded by legislative enactment.

(b) This section is not to be construed to justify the continued effectiveness of any rule that will remain in effect under subsection (a) if the rule conflicts with the provisions of any legislative enactment other than the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

(c) Notwithstanding subsection (a) or Tennessee Code Annotated, Title 4, Chapter 5, Part 2, the following rules expire on the effective date of this act:

(1) University of Tennessee (Knoxville) Rule 1720-04-03-.01, relative to the student code of conduct, filed in the office of secretary of state on May 14, 2021; and

(2) Austin Peay State University Rule 0240-05-06-.04, relative to Title IX compliance, filed in the office of secretary of state on July 21, 2021.

SECTION 2. If any provision of this act or the application of any provision of this act to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act are severable.

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