

SENATE BILL 2715

By Bowling

AN ACT to amend Tennessee Code Annotated, Title 4;  
Title 62; Title 63; Title 68; Title 69 and Title 70,  
relative to fees promulgated by administrative rule.

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 new section:

Notwithstanding any law to the contrary:

(1) An agency shall not promulgate a rule that increases an existing administrative fee in an amount that exceeds the lesser of five percent (5%) of the fee or the average annual rate of inflation for the immediately preceding calendar year as calculated using the consumer price index published by the United States department of labor, bureau of labor statistics;

(2) An agency shall submit any proposed increase of an existing administrative fee in excess of the amount specified in subdivision (a)(1) as a legislative bill or an amendment to a legislative bill for consideration by the general assembly; and

(3) Any administrative rule that proposes to increase an existing administrative fee in excess of the amount specified in subdivision (a)(1) and that is filed with the secretary of state is null and void.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it, and shall apply to all administrative rules filed with the secretary of state on or after July 1, 2018.