



State of Tennessee

PUBLIC CHAPTER NO. 352

SENATE BILL NO. 1001

By Beavers, Gardenhire

Substituted for: House Bill No. 1190

By Matthew Hill, Daniel, Hardaway

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 33, relative to forfeitures.

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

SECTION 1. Tennessee Code Annotated, Section 40-33-209(a), is amended by deleting the subsection and substituting instead the following:

(a) The administrative head of the applicable agency shall contract with the secretary of state for use of administrative law judges to conduct forfeiture hearings.

SECTION 2. Tennessee Code Annotated, Section 40-33-209(b), is amended by deleting the language "The hearing officer or administrative judge" and substituting instead the language "The administrative law judge".

SECTION 3. Tennessee Code Annotated, Section 40-33-210, is amended by deleting the language "administrative head of the applicable agency" wherever it appears in subsections (d)-(g) and substituting instead the language "administrative law judge".

SECTION 4. Tennessee Code Annotated, Section 40-33-210, is further amended by deleting subdivision (b)(2) in its entirety.

SECTION 5. Tennessee Code Annotated, Section 40-33-210, is further amended by adding the following new subsection:

(h) The administrative law judge's ruling shall be considered a final order of the applicable agency for purposes of appealing of the order.

SECTION 6. Tennessee Code Annotated, Section 40-33-213, is amended by deleting subsection (c) and substituting instead the following:

(c) A notice of review may, at the election of the aggrieved party, be filed in the circuit court or chancery court of Davidson, Washington, Knox, Hamilton, Putnam, Madison, Dyer, Lawrence, or Shelby county; provided, that, the notice of review shall be filed in the county which corresponds with the location of the hearing.

(d) The applicable agency shall be represented in the appeal by the attorney or attorneys who represented the agency during the hearing.

SECTION 7. Section 1 through Section 5 of this act shall take effect July 1, 2017, the public welfare requiring it. Section 6 of this act shall take effect January 1, 2019, the public welfare requiring it.

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PASSED: May 3, 2017



RANDY McNALLY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 11th day of May 2017



BILL HASLAM, GOVERNOR