

SENATE BILL 2160

By Bell

AN ACT to amend Tennessee Code Annotated, Title 4,  
Chapter 5, Part 2, relative to relative to the review  
of administrative actions by the general assembly.

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

SECTION 1. Tennessee Code Annotated, Section 4-5-226, is amended by adding the following as a new subsection:

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(1) In response to a determination by an agency that an agency statement or intra-agency memoranda qualifies as an exception to the definition of a rule under § 4-5-102(12)(A) or (C), and that no rules are to be promulgated on such subjects:

(A) A member of the general assembly may petition either chair of the government operations committees of the senate or house of representatives to review the statement or intra-agency memoranda to determine if an exclusion to the definition of a rule under § 4-5-102(12)(A) or (C) applies, or if a rule should be promulgated on such subjects under this part;

(B) Either chair of the committees, if petitioned, shall direct that the committees meet to review any statement or intra-agency memoranda to determine if a rule should be promulgated on such subjects under this part; or

(C) Either committee may vote to request the agency to promulgate the statement or intra-agency memoranda described in § 4-5-

102(12)(A) or (C) as a rule. If the agency fails to comply with the committee's request to promulgate the agency's statement or intra-agency memoranda as a rule pursuant to this chapter, the committee may vote to request the general assembly to suspend any or all of the agency's rulemaking authority for any reasonable period of time or with respect to any subject matter, by legislative enactment.

(2) Notwithstanding any other exclusion to rulemaking requirements, this subsection shall also apply where an agency fails or refuses to promulgate a rule on any other subject.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.