

## **Department of Planning and Budget**

### **2016 Fiscal Impact Statement**

**1. Bill Number:** SB206

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Edwards, J.

**3. Committee:** General Laws and Technology

**4. Title:** Administrative Process Act; ex parte communications.

**5. Summary:** Provides that, during the period that a hearing is pending, a hearing officer is prohibited from communicating with any person concerning the hearing without notice and opportunity for all parties to participate in the communication. The bill also provides that a hearing officer may communicate about a pending hearing in instances where the communication is authorized by law, involves a ministerial matter, or does not augment, diminish, or modify the evidence in the record. In addition, the bill establishes the procedures to be followed if a hearing officer makes or receives a prohibited communication and the relief that a hearing officer may provide in such instances. The bill is the recommendation of the Administrative Law Advisory Committee and has been approved by the Virginia Code Commission.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** No fiscal impact.

**8. Fiscal Implications:** None.

**9. Specific Agency or Political Subdivisions Affected:** The Office of the Attorney General, the Supreme Court, and all state agencies that hold hearings and are not exempt from the Administrative Process Act.

**10. Technical Amendment Necessary:** None.

**11. Other Comments:** None.

Date: 1/18/16