

Department of Planning and Budget 2015 Fiscal Impact Statement

1. Bill Number: SB1282

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Edwards, J.

3. Committee: General Laws and Technology

4. Title: Administrative Process Act; formal hearings.

5. Summary: Amends the disciplinary process under the Administrative Process Act by (i) establishing a process for the disqualification of presiding officers and hearing officers, (ii) setting rules on ex parte communications, and (iii) establishing a process for discovery relating to formal hearings.

6. Budget Amendment Necessary: Yes. The language concerning discovery would add additional response requirements for Office of the Attorney General (OAG) attorneys who work on Administrative Process Act cases.

7. Fiscal Impact Estimates: Preliminary, see Item 8.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2015	-	-	-
2016	\$606,000	6.70	General
2017	\$606,000	6.70	General
2018	\$606,000	6.70	General
2018	\$606,000	6.70	General
2020	\$606,000	6.70	General
2021	\$606,000	6.70	General

8. Fiscal Implications: OAG states that trying to accurately estimate how much discovery will be requested under the new rule and how much work that it will create is not realistically possible. OAG believes that at a minimum it will require 4.7 additional attorneys (\$456,000) and 2 additional support staff (\$150,000).

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: No.

11. Other Comments: None.

Date: 1/26/15