

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: SB206

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

2. Patron: Edwards, J.

3. Committee: Passed Both Houses

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: 3/1/16