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Sequence Number: 08-08-15
 Rule ID(s): 5998
 File Date: 8/11/15
 Effective Date: 11/9/15

Rulemaking Hearing Rule(s) Filing Form

Rulemaking Hearing Rules are rules filed after and as a result of a rulemaking hearing (Tenn. Code Ann. § 4-5-205).

Pursuant to Tenn. Code Ann. § 4-5-229, any new fee or fee increase promulgated by state agency rule shall take effect on July 1, following the expiration of the ninety (90) day period as provided in § 4-5-207. This section shall not apply to rules that implement new fees or fee increases that are promulgated as emergency rules pursuant to § 4-5-208(a) and to subsequent rules that make permanent such emergency rules, as amended during the rulemaking process. In addition, this section shall not apply to state agencies that did not, during the preceding two (2) fiscal years, collect fees in an amount sufficient to pay the cost of operating the board, commission or entity in accordance with § 4-29-121(b).

Agency/Board/Commission:	Tennessee Collection Service Board
Division:	Division of Regulatory Boards, Department of Commerce and Insurance
Contact Person:	Keeling R. Baird
Address:	500 James Robertson Parkway; Nashville, TN
Zip:	37243
Phone:	(615) 532-6303
Email:	Keeling.R.Baird@tn.gov

Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) Revised (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please enter only ONE Rule Number/Rule Title per row)

Chapter Number	Chapter Title
0320-01	Licensing
Rule Number	Rule Title
0320-01-.01	Qualifications of Applicants
0320-01-.02	Examinations
0320-01-.03	Fees

Chapter 0320-01
Collection Service Board, Licensing

Amendments

Rule 0320-01-.01 Qualification of Applicants is amended by deleting paragraphs (1) and (2) in their entirety and by adding new paragraphs (1)-(6) to read as follows:

- (1) Upon receipt of a completed application for a license as a collection service, the Collection Service Board (or its designees) shall commence an investigation to determine the applicant's fitness to engage in the collection service business. Such investigation shall include, but not be limited to:
 - (a) Verification of the applicant's financial statement;
 - (b) Evaluation of the applicant's financial responsibility with verification through a credit bureau report;
 - (c) Assessment of the applicant's business background and experience; and
 - (d) Contact with character references.
- (2) An applicant for licensure meeting the requirements of T.C.A. § 4-3-1304(d)(1) may:
 - (a) Be issued a license under this chapter upon application and payment of all fees required for issuance of a regular license of the same type if, in the opinion of the Board, the requirements for certification or licensure of such other state are substantially equivalent to that required in Tennessee; or
 - (b) Be issued a temporary permit as described herein if the Board determines that the applicant's license does not meet the requirements for substantial equivalency, but that the applicant could perform additional acts, including - but not limited to - education, training, or experience, in order to meet the requirements for the license to be substantially equivalent. The Board may issue a temporary permit upon application and payment of all fees required for issuance of a regular license of the same type, which shall allow such person to perform services as if fully licensed for a set period of time that is determined to be sufficient for the applicant to complete such requirements.
 1. After completing those additional requirements and providing the Board with sufficient proof thereof as may be required, a full license shall be issued to the applicant with an issuance date of the date of the original issuance of the temporary permit and an expiration date as if the full license had been issued at that time.
 2. A temporary permit shall be issued for a period of less than the length of a renewal cycle for a full license.
 3. A temporary permit shall expire upon the date set by the Board and shall not be subject to renewal except through the completion of the requirements for substantial equivalency as required by the Board or by an extension of time granted for good cause by the Board.
 4. Should an extension to a temporary permit cause the permit to be in effect longer than the renewal cycle of a full license, the holder of the temporary permit shall file a renewal application with such documentation and fees, including completion of continuing education, as are required by the Board for all other renewals of a full license of the same type.

- (3) Military education, training, or experience completed by a person described at T.C.A. § 4-3-1304(d)(1)(B)(ii)(a)-(c) shall be accepted toward the qualifications, in whole or in part, to receive any license issued by the Board if such military education, training, or experience is determined by the Board to be substantially equivalent to the education, training, or experience required for the issuance of such license.
- (4) Any licensee who is a member of the National Guard or a reserve component of the armed forces of the United States called to active duty whose license expires during the period of activation shall be eligible for renewal upon the licensee being released from active duty without:
 - (a) Payment of late fees or other penalties;
 - (b) Obtaining continuing education credits when:
 - 1. Circumstances associated with the person's military duty prevented the obtaining of continuing education credits and a waiver request has been submitted to the Board; or
 - 2. The person performs the licensed or certified occupation as part of such person's military duties and provides documentation sufficient to demonstrate such to the Board, or;
 - (c) Performing any other similar act typically required for the renewal of a license or certification.
- (5) The license, certification, or permit shall be eligible for renewal pursuant to paragraph (4) for six (6) months from the person's release from active duty.
- (6) Any person renewing under paragraph (4) shall provide the Board such supporting documentation evidencing activation as may be required by the Board prior to renewal of any license pursuant to that paragraph.

Authority: T.C.A. §§ 62-20-104 and 4-3-1304.

Rule 0320-01-.02 Examinations is amended by deleting the text of the rule in its entirety.

Authority: T.C.A. §§ 62-20-104.

Rule 0320-01-.03 Fees is amended by deleting paragraphs (2), (3), and (8) and by renumbering the remaining paragraphs to read as follows:

- (1) An application for a collection license as a collection service shall be accompanied by a nonrefundable fee of one hundred fifty dollars (\$150.00).
- (2) The Board shall grant a collection service license to qualified applicants upon receipt of six hundred dollars (\$600.00), which shall not be prorated for any portion of a year.
- (3) Solicitor's identification cards shall be obtainable by written application of the licensee, accompanied by an annual fee of twenty-five dollars (\$25.00) each.
- (4) Application for renewal of a collection service license shall be accompanied by a fee of three hundred and fifty dollars (\$350.00).
- (5) The fee for each branch office located in this state shall be one hundred dollars (\$100.00).
- (6) The renewal fee for each branch office located in this state shall be one hundred dollars

(\$100.00).

- (7) All licensees shall be subject to late renewal for a period of sixty (60) days following their expiration date by payment of the prescribed fee plus a penalty of one hundred dollars (\$100.00).

Authority: T.C.A. §§ 62-20-104, 62-20-106, 62-20-109, 62-20-111, and 62-20-112.

* If a roll-call vote was necessary, the vote by the Agency on these rulemaking hearing rules was as follows:

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Chip Hellman	X				
Steve Harb	X				
Elizabeth Dixon	X				
Bart Howard				X	
Elizabeth Trinkler				X	

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Tennessee Collection Service Board on November 12, 2014, and is in compliance with the provisions of T.C.A. § 4-5-222.

I further certify the following:

Notice of Rulemaking Hearing filed with the Department of State on: 09/12/14

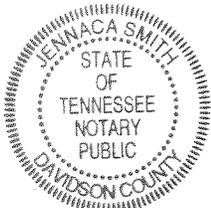
Rulemaking Hearing(s) Conducted on: (add more dates). 11/12/14

Date: 7/24/15

Signature: Keeling R. Baird

Name of Officer: Keeling R. Baird

Title of Officer: Assistant General Counsel



MY COMMISSION EXPIRES:
March 8, 2016

Subscribed and sworn to before me on: 7/24/15

Notary Public Signature: Jennaca Smith

My commission expires on: 3/8/16

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Herbert H. Slatyer III
Herbert H. Slatyer III
Attorney General and Reporter

8/5/2015
Date

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Filed with the Department of State on: 08/11/15

Effective on: 11/9/15

Tre Hargett
Tre Hargett
Secretary of State

Public Hearing Comments

One copy of a document containing responses to comments made at the public hearing must accompany the filing pursuant to T.C.A. § 4-5-222. Agencies shall include only their responses to public hearing comments, which can be summarized. No letters of inquiry from parties questioning the rule will be accepted. When no comments are received at the public hearing, the agency need only draft a memorandum stating such and include it with the Rulemaking Hearing Rule filing. Minutes of the meeting will not be accepted. Transcripts are not acceptable.

There were no public comments submitted in writing or presented orally at the rulemaking hearing.

Regulatory Flexibility Addendum

Pursuant to T.C.A. §§ 4-5-401 through 4-5-404, prior to initiating the rule making process as described in T.C.A. § 4-5-202(a)(3) and T.C.A. § 4-5-202(a), all agencies shall conduct a review of whether a proposed rule or rule affects small businesses.

1. Overlap, duplicate, or conflict with other federal, state, and local governmental rules:

There will be no overlap, duplication, or conflict with other federal, state or local governmental rules.

2. Clarity, conciseness, and lack of ambiguity in the rule or rules:

The rules are clear in purpose and intended execution. The implementation of the proposed rule change will increase clarity and conciseness and decrease ambiguity in the rules as a whole.

3. Flexible compliance and/or reporting requirements for small businesses:

These rules do not create any new compliance or reporting requirements.

4. Friendly schedules or deadlines for compliance and/or reporting requirements:

The proposed "military applicant" rule will expedite the licensure process for certain military personnel, and in some cases, for the spouses of military personnel. Otherwise, these rules do not set out compliance or reporting requirements.

5. Consolidation or simplification of compliance or reporting requirements:

There are no new compliance and reporting requirements as a result of this amendment.

6. Performances standards for small businesses:

These rules do not set out operational or design standards. As such, there are no performance standards for small businesses as a result of this amendment.

7. Barriers or other effects that stifle entrepreneurial activity, curb innovation, or increase costs:

It does not appear that these amendments will erect barriers or have other effects which would stifle entrepreneurial activity, curb innovation, or increase costs.

Impact on Local Governments

Pursuant to T.C.A. §§ 4-5-220 and 4-5-228 "any rule proposed to be promulgated shall state in a simple declarative sentence, without additional comments on the merits of the policy of the rules or regulation, whether the rule or regulation may have a projected impact on local governments." (See Public Chapter Number 1070 (<http://state.tn.us/sos/acts/106/pub/pc1070.pdf>) of the 2010 Session of the General Assembly)

The proposed rule changes are not projected to have any impact on local governments.

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. § 4-5-226(i)(1).

- (A)** A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

The proposed changes to the rules governing the Tennessee Collection Service Board ("Board") will delete all references to the location manager requirement, which was removed in its entirety by a legislative amendment to the Tennessee Collection Service Act ("Act") in 2013. The proposed amendments will also adopt a "military applicant" rule, which was necessitated by a legislative amendment in 2013, to provide an expedited licensure process for certain military personnel and their spouses.

All proposed amendments to Rules 0320-01-.01, -.02, and .03 will remove all references to the location manager requirement, with the exception of the amendment to Rule 0320-01-.01 which adopts the "military applicant" rule language.

- (B)** A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

PC0122 (2013) requires each program attached to the division of regulatory boards (which includes the Tennessee State Board of Accountancy) to promulgate rules and regulations to provide an expedited license application process for certain licensees who are in the military. Part of the proposed amendment to Rule 0320-01-.01 is promulgated in response to PC0122 (2013). PC0180 (2013) deleted the requirement that each collection service agency licensed by the Board have a licensed location manager. Part of the proposed amendment to Rule 0320-01-.01 and all of the proposed amendments to Rules 0320-01-.02 and 0320-01-.03 will remove all references to the location manager requirement.

- (C)** Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

The proposed amendments to the Tennessee Collection Service Board rules will most directly affect agency applicants seeking a collection service agency license from the Board. Because there were no public comments received as part of this rulemaking hearing process, it may be reasonably inferred that no substantial opposition to these proposed rule changes exists.

- (D)** Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule;

I am unaware of any opinion of the attorney general or any judicial ruling which directly relates to these rules.

- (E)** An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars (\$500,000), whichever is less;

The anticipated fiscal impact to state and local government revenues and expenditures of these proposed rule changes is anticipated to be minimal.

- (F)** Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Keeling R. Baird, Assistant General Counsel for the Tennessee Collection Service Board

(G) Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

Keeling R. Baird, Assistant General Counsel for the Tennessee Collection Service Board

(H) Office address, telephone number, and email address of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

500 James Robertson Pkwy., Nashville, TN 37243;
Keeling R. Baird: Phone: (615) 532-6303; E-Mail: Keeling.R.Baird@tn.gov

(I) Any additional information relevant to the rule proposed for continuation that the committee requests.

N/A

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Nashville, TN 37243

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Email: publications.information@tn.gov**For Department of State Use Only**Sequence Number: 08-08-15Rule ID(s): 5998File Date: 8/11/15Effective Date: 11/9/15

Rulemaking Hearing Rule(s) Filing Form

*Rulemaking Hearing Rules are rules filed after and as a result of a rulemaking hearing (Tenn. Code Ann. § 4-5-205).**Pursuant to Tenn. Code Ann. § 4-5-229, any new fee or fee increase promulgated by state agency rule shall take effect on July 1, following the expiration of the ninety (90) day period as provided in § 4-5-207. This section shall not apply to rules that implement new fees or fee increases that are promulgated as emergency rules pursuant to § 4-5-208(a) and to subsequent rules that make permanent such emergency rules, as amended during the rulemaking process. In addition, this section shall not apply to state agencies that did not, during the preceding two (2) fiscal years, collect fees in an amount sufficient to pay the cost of operating the board, commission or entity in accordance with § 4-29-121(b).*

Agency/Board/Commission:	Tennessee Collection Service Board
Division:	Division of Regulatory Boards, Department of Commerce and Insurance
Contact Person:	Keeling R. Baird
Address:	500 James Robertson Parkway; Nashville, TN
Zip:	37243
Phone:	(615) 532-6303
Email:	Keeling.R.Baird@tn.gov

Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) Revised (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please enter only ONE Rule Number/Rule Title per row)

Chapter Number	Chapter Title
0320-01	Licensing
Rule Number	Rule Title
0320-01-.01	Qualifications of Applicants
0320-01-.02	Examinations
0320-01-.03	Fees

Chapter 0320-01
Collection Service Board, Licensing

Amendments

Rule 0320-01-.01 Qualification of Applicants is amended by deleting paragraphs (1) and (2) in their entirety and by adding new paragraphs (1)-(6) to read as follows:

- ~~(1) Upon receipt of a completed application for a location manager license for a collection service, the Collection Service Board (or its designees) shall commence an investigation to determine the applicant's fitness to engage in the management of a collection service. Such investigation shall include, but not be limited to:~~
- ~~(a) Verification of applicant's education;~~
 - ~~(b) Evaluation of applicant's employment history;~~
 - ~~(c) Evaluation of applicant's financial responsibilities with verification through a credit bureau report;~~
 - ~~(d) Contact with former employees;~~
 - ~~(e) Contact with character references.~~
- (2)(1) Upon receipt of a completed application for a license as a collection service, the Collection Service Board (or its designees) shall commence an investigation to determine the applicant's fitness to engage in the collection service business. Such investigation shall include, but not be limited to:
- (a) Verification of the applicant's financial statement;
 - (b) Evaluation of the applicant's financial responsibility with verification through a credit bureau report;
 - (c) Assessment of the applicant's business background and experience; and
 - (d) Contact with character references.
- (2) An applicant for licensure meeting the requirements of T.C.A. § 4-3-1304(d)(1) may:
- (a) Be issued a license under this chapter upon application and payment of all fees required for issuance of a regular license of the same type if, in the opinion of the Board, the requirements for certification or licensure of such other state are substantially equivalent to that required in Tennessee; or
 - (b) Be issued a temporary permit as described herein if the Board determines that the applicant's license does not meet the requirements for substantial equivalency, but that the applicant could perform additional acts, including - but not limited to - education, training, or experience, in order to meet the requirements for the license to be substantially equivalent. The Board may issue a temporary permit upon application and payment of all fees required for issuance of a regular license of the same type, which shall allow such person to perform services as if fully licensed for a set period of time that is determined to be sufficient for the applicant to complete such requirements.
- 1. After completing those additional requirements and providing the Board with sufficient proof thereof as may be required, a full license shall be issued to the applicant with an issuance date of the date of the original issuance of the temporary permit and an expiration date as if the full license had been issued at

that time.

2. A temporary permit shall be issued for a period of less than the length of a renewal cycle for a full license.
 3. A temporary permit shall expire upon the date set by the Board and shall not be subject to renewal except through the completion of the requirements for substantial equivalency as required by the Board or by an extension of time granted for good cause by the Board.
 4. Should an extension to a temporary permit cause the permit to be in effect longer than the renewal cycle of a full license, the holder of the temporary permit shall file a renewal application with such documentation and fees, including completion of continuing education, as are required by the Board for all other renewals of a full license of the same type.
- (3) Military education, training, or experience completed by a person described at T.C.A. § 4-3-1304(d)(1)(B)(ii)(a)-(c) shall be accepted toward the qualifications, in whole or in part, to receive any license issued by the Board if such military education, training, or experience is determined by the Board to be substantially equivalent to the education, training, or experience required for the issuance of such license.
- (4) Any licensee who is a member of the National Guard or a reserve component of the armed forces of the United States called to active duty whose license expires during the period of activation shall be eligible for renewal upon the licensee being released from active duty without:
- (a) Payment of late fees or other penalties;
 - (b) Obtaining continuing education credits when:
 1. Circumstances associated with the person's military duty prevented the obtaining of continuing education credits and a waiver request has been submitted to the Board; or
 2. The person performs the licensed or certified occupation as part of such person's military duties and provides documentation sufficient to demonstrate such to the Board, or;
 - (c) Performing any other similar act typically required for the renewal of a license or certification.
- (5) The license, certification, or permit shall be eligible for renewal pursuant to paragraph (4) for six (6) months from the person's release from active duty.
- (6) Any person renewing under paragraph (4) shall provide the Board such supporting documentation evidencing activation as may be required by the Board prior to renewal of any license pursuant to that paragraph.

Authority: T.C.A. §§ 62-20-104 and 4-3-1304.

Rule 0320-01-.02 Examinations is amended by deleting the text of the rule in its entirety.

- (1) ~~Upon being approved by the Collection Service Board, the candidate shall apply to the approved, independent educational testing organization, on the form supplied by the testing organization, accompanied by the testing fee as set by the board, pursuant to its contract with the testing organization, to take the location manager licensing examination.~~

- ~~(2) The examination for prospective managers of collection service businesses shall cover the following subjects:~~
- ~~(a) State and federal statutes, rules, and regulations governing the conduct of a collection service business;~~
 - ~~(b) Collection ethics and practices;~~
 - ~~(c) Banking;~~
 - ~~(d) Administrative and Managerial skills;~~
 - ~~(e) Business law; and~~
 - ~~(f) Bankruptcy Law.~~
- ~~(3) The completed application for a location manager's license and the one hundred dollars (\$100.00), non-refundable application fee must be filed in the Collection Service Board office ninety (90) days prior to applicant being scheduled to take the location manager's examination.~~
- ~~(4) The location manager's license examination shall be administered three (3) times annually, approximately every one hundred twenty (120) days.~~
- ~~(5) Candidates for the location manager's license wishing to retake the exam after failing must apply to the Board thirty (30) days prior to the exam.~~

Authority: T.C.A. §§ 62-20-104.

Rule 0320-01-.03 Fees is amended by deleting paragraphs (2), (3), and (8) and by renumbering the remaining paragraphs to read as follows:

- (1) An application for a collection license as a collection service shall be accompanied by a nonrefundable fee of one hundred fifty dollars (\$150.00).
- ~~(2) An application for a location manager's license shall be accompanied by a non-refundable fee of one hundred dollars (\$100.00).~~
- ~~(4)~~(2) The Board shall grant a collection service license to qualified applicants upon receipt of six hundred dollars (\$600.00), which shall not be prorated for any portion of a year.
- ~~(3) In case of failure, the failing location manager licensing examination candidate shall pay a reexamination fee as set by the board, pursuant to its contract with the testing organization.~~
- ~~(5)~~(3) Solicitor's identification cards shall be obtainable by written application of the licensee, accompanied by an annual fee of twenty-five dollars (\$25.00) each.
- ~~(6)~~(4) Application for renewal of a collection service license shall be accompanied by a fee of three hundred and fifty dollars (\$350.00).
- ~~(7)(a)~~(5) The fee for each branch office located in this state shall be one hundred dollars (\$100.00).
- ~~(7)(b)~~(6) The renewal fee for each branch office located in this state shall be one hundred dollars (\$100.00).
- ~~(9)~~(7) All licensees shall be subject to late renewal for a period of sixty (60) days following their expiration date by payment of the prescribed fee plus a penalty of one hundred dollars (\$100.00).

~~(8) Application for renewal of a location manager license shall be accompanied by a fee of fifty dollars (\$50.00).~~

Authority: T.C.A. §§ 62-20-104, 62-20-106, 62-20-109, 62-20-111, and 62-20-112.

* If a roll-call vote was necessary, the vote by the Agency on these rulemaking hearing rules was as follows:

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Chip Hellman	X				
Steve Harb	X				
Elizabeth Dixon	X				
Bart Howard				X	
Elizabeth Trinkler				X	

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Tennessee Collection Service Board on November 12, 2014, and is in compliance with the provisions of T.C.A. § 4-5-222.

I further certify the following:

Notice of Rulemaking Hearing filed with the Department of State on: 09/12/14

Rulemaking Hearing(s) Conducted on: (add more dates). 11/12/14

Date: _____

Signature: _____

Name of Officer: _____

Title of Officer: _____

Subscribed and sworn to before me on: _____

Notary Public Signature: _____

My commission expires on: _____

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Herbert H. Slatery III
Attorney General and Reporter

Date

Department of State Use Only

Filed with the Department of State on: _____

Effective on: _____

Tre Hargett
Secretary of State

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PUBLICATIONS

Public Hearing Comments

One copy of a document containing responses to comments made at the public hearing must accompany the filing pursuant to T.C.A. § 4-5-222. Agencies shall include only their responses to public hearing comments, which can be summarized. No letters of inquiry from parties questioning the rule will be accepted. When no comments are received at the public hearing, the agency need only draft a memorandum stating such and include it with the Rulemaking Hearing Rule filing. Minutes of the meeting will not be accepted. Transcripts are not acceptable.

There were no public comments submitted in writing or presented orally at the rulemaking hearing.

Regulatory Flexibility Addendum

Pursuant to T.C.A. §§ 4-5-401 through 4-5-404, prior to initiating the rule making process as described in T.C.A. § 4-5-202(a)(3) and T.C.A. § 4-5-202(a), all agencies shall conduct a review of whether a proposed rule or rule affects small businesses.

1. Overlap, duplicate, or conflict with other federal, state, and local governmental rules:

There will be no overlap, duplication, or conflict with other federal, state or local governmental rules.

2. Clarity, conciseness, and lack of ambiguity in the rule or rules:

The rules are clear in purpose and intended execution. The implementation of the proposed rule change will increase clarity and conciseness and decrease ambiguity in the rules as a whole.

3. Flexible compliance and/or reporting requirements for small businesses:

These rules do not create any new compliance or reporting requirements.

4. Friendly schedules or deadlines for compliance and/or reporting requirements:

The proposed "military applicant" rule will expedite the licensure process for certain military personnel, and in some cases, for the spouses of military personnel. Otherwise, these rules do not set out compliance or reporting requirements.

5. Consolidation or simplification of compliance or reporting requirements:

There are no new compliance and reporting requirements as a result of this amendment.

6. Performances standards for small businesses:

These rules do not set out operational or design standards. As such, there are no performance standards for small businesses as a result of this amendment.

7. Barriers or other effects that stifle entrepreneurial activity, curb innovation, or increase costs:

It does not appear that these amendments will erect barriers or have other effects which would stifle entrepreneurial activity, curb innovation, or increase costs.

Impact on Local Governments

Pursuant to T.C.A. §§ 4-5-220 and 4-5-228 “any rule proposed to be promulgated shall state in a simple declarative sentence, without additional comments on the merits of the policy of the rules or regulation, whether the rule or regulation may have a projected impact on local governments.” (See Public Chapter Number 1070 (<http://state.tn.us/sos/acts/106/pub/pc1070.pdf>) of the 2010 Session of the General Assembly)

The proposed rule changes are not projected to have any impact on local governments.

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. § 4-5-226(i)(1).

- (A)** A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

The proposed changes to the rules governing the Tennessee Collection Service Board ("Board") will delete all references to the location manager requirement, which was removed in its entirety by a legislative amendment to the Tennessee Collection Service Act ("Act") in 2013. The proposed amendments will also adopt a "military applicant" rule, which was necessitated by a legislative amendment in 2013, to provide an expedited licensure process for certain military personnel and their spouses.

All proposed amendments to Rules 0320-01-.01, -.02, and .03 will remove all references to the location manager requirement, with the exception of the amendment to Rule 0320-01-.01 which adopts the "military applicant" rule language.

- (B)** A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

PC0122 (2013) requires each program attached to the division of regulatory boards (which includes the Tennessee State Board of Accountancy) to promulgate rules and regulations to provide an expedited license application process for certain licensees who are in the military. Part of the proposed amendment to Rule 0320-01-.01 is promulgated in response to PC0122 (2013). PC0180 (2013) deleted the requirement that each collection service agency licensed by the Board have a licensed location manager. Part of the proposed amendment to Rule 0320-01-.01 and all of the proposed amendments to Rules 0320-01-.02 and 0320-01-.03 will remove all references to the location manager requirement.

- (C)** Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

The proposed amendments to the Tennessee Collection Service Board rules will most directly affect agency applicants seeking a collection service agency license from the Board. Because there were no public comments received as part of this rulemaking hearing process, it may be reasonably inferred that no substantial opposition to these proposed rule changes exists.

- (D)** Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule;

I am unaware of any opinion of the attorney general or any judicial ruling which directly relates to these rules.

- (E)** An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars (\$500,000), whichever is less;

The anticipated fiscal impact to state and local government revenues and expenditures of these proposed rule changes is anticipated to be minimal.

- (F)** Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Keeling R. Baird, Assistant General Counsel for the Tennessee Collection Service Board

- (G) Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

Keeling R. Baird, Assistant General Counsel for the Tennessee Collection Service Board

- (H) Office address, telephone number, and email address of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

500 James Robertson Pkwy., Nashville, TN 37243;
Keeling R. Baird: Phone: (615) 532-6303; E-Mail: Keeling.R.Baird@tn.gov

- (I) Any additional information relevant to the rule proposed for continuation that the committee requests.

N/A

