



2015-2016 General Assembly

HOUSE BILL 765: Regulatory Reform Act of 2015, Sec. 1.2: Burden of Proof in Certain Contested Cases

Committee:

Introduced by:

Analysis of: Sec. 1.2 of S.L. 2015-286

Date:

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SUMMARY: *Sec. 1.2 of S.L. 2015-286 amends the Administrative Procedures Act to clarify that the petitioner has the burden of proof in most contested cases and establishes that the State agency has the burden of proof in certain contested cases, including cases involving the imposition of civil fines or penalties and cases involving the demotion, suspension, or discharge of a career State employee. The Joint Legislative Administrative Procedure Oversight Committee is directed to study whether there are other categories of cases in which the burden should be placed with the agency.*

This section became effective October 22, 2015, and applies to contested cases commenced on or after that date.

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