

## STATEMENT OF PURPOSE

### RS26138

This legislation entitles the prevailing party, in an administrative procedure between a licensee and a licensing authority, to recover reasonable investigative and defense costs. The assessment of fees in such proceedings will be subject to judicial review if judicial review is requested.

### FISCAL NOTE

Self-governing licensing authorities are funded through dedicated fees assessed to their licensees. To the extent that this legislation incentivizes sound investigatory and litigation management practices resulting in well-grounded licensure actions, licensure authorities will be able to recover their reasonable and appropriate investigative costs and attorney's fees, and there should be little or no negative fiscal impact to their budgets and appropriations. To the extent that licensure authorities bring licensure actions in which they cannot prevail, they will owe reasonable and appropriate defense costs and attorney's fees to licensees, and that will negatively impact their budgets thereby increasing dedicated fund appropriations financed by increased fees to their licensees.

#### Contact:

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**DISCLAIMER:** This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).