

SB 5350 - DIGEST

(SEE ALSO PROPOSED 1ST SUB)

Revises administrative procedure act provisions as follows: (1) Requires an agency to make a final administrative determination or disposition for a matter that is subject to an adjudicative proceeding within two years after the commencement of the adjudicative proceeding unless all parties to the proceeding agree to waive the time limitation;

(2) Authorizes a person to file a petition for judicial review and is presumed to have exhausted all administrative remedies when an agency fails to comply with (1) above;

(3) Authorizes the court to receive evidence in addition to that contained in the agency record for judicial review, if it relates to the validity of the agency action at the time it was taken and is needed to decide disputed issues regarding an issue or fact identified as contested in a petition for judicial review filed under (2) above; and

(4) Prohibits the court from remanding certain matters, when a petition for judicial review is filed under (2) above, unless all parties consent.