

Fiscal Estimate Narratives
DATCP 3/10/2010

LRB Number	09-4312/1	Introduction Number	AB-0767	Estimate Type	Original
Description Changes to the membership of the Small Business Regulatory Review Board, notification to the Small Business Regulatory Review Board of bills with an economic impact on small businesses, and the role of the Office of the Small Business Advocate in the Department of Commerce					

Assumptions Used in Arriving at Fiscal Estimate

This bill makes a variety of changes affecting the Small Business Regulatory Review Board and state agencies' duties related to the effects of regulation on small businesses.

The bill affects the Department of Agriculture, Trade and Consumer Protection in four ways.

1. Eliminates the department's representation on the Small Business Regulatory Review Board.
2. Requires the department's Small Business Regulatory Coordinator to cooperate with the staff of the (renamed) Office of the Small Business Advocate to accomplish the objectives of the bill.
3. Requires the department to forward a proposed rule to the board if it may have an economic impact on small businesses (not just a "significant" impact as under current law).
4. Requires the department to provide assistance to small businesses to comply with department rules.
5. Requires the department to establish, by rule, reduced fines and alternative enforcement mechanisms for minor violations of administrative rules made by small businesses.

It is unclear how large a fiscal effect these changes would have on the department, but it would most likely be small.

Eliminating the department's representation on the Small Business Regulatory Review Board would reduce workload, but this would likely be offset by increased duties with the Office of the Small Business Advocate. The exact duties and workload for the department's Small Business Regulatory Coordinator are unclear.

Forwarding to the board all rules with an economic impact on small businesses would not increase department's cost in itself. Whether the board would find more proposed rules to have a significant impact, and thus require more work of the department, is unclear.

The department currently assists small businesses in its normal course of operations. It is unclear whether the bill's requirements to assist small businesses would increase the department's workload beyond that already performed.

Finally, the department already has a similar rule in place regarding reduced fines and alternative enforcement mechanisms. The department would modify the rule to comply with the specific terms of the bill.

Long-Range Fiscal Implications