

Fiscal Estimate - 2009 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 09-4312/1	Introduction Number AB-0767
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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

Fiscal Effect

State:

- No State Fiscal Effect
- Indeterminate
 - Increase Existing Appropriations
 - Decrease Existing Appropriations
 - Create New Appropriations
 - Increase Existing Revenues
 - Decrease Existing Revenues
 - Increase Costs - May be possible to absorb within agency's budget
 - Yes
 - No
 - Decrease Costs

Local:

- No Local Government Costs
- Indeterminate
 - 1. Increase Costs
 - 2. Decrease Costs
 - 3. Increase Revenue
 - 4. Decrease Revenue
 - 5. Types of Local Government Units Affected
 - Towns Village Cities
 - Counties Others
 - School Districts WTCS Districts

Fund Sources Affected	Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

Agency/Prepared By	Authorized Signature	Date
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Fiscal Estimate Narratives

DOA 3/22/2010

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Assumptions Used in Arriving at Fiscal Estimate

Under current law the Department of Administration (DOA) is a member of the Small Business Regulatory Review Board. The Board reviews proposed administrative rules and emergency rules that are deemed by the proposing agency to have a significant impact on small business. The Board considers the analysis prepared by the proposing agency and determines whether the agency has sufficiently considered the impact of the proposed rule on small business and whether the agency has complied with procedural requirements for rule making.

AB 767 eliminates the representation of the DOA and eight other state agencies on the Board. It also permits the Board, rather than the proposing agency, to make the determination whether a proposed rule has a significant impact on small business.

DOA does not anticipate a fiscal or significant workload impact as a result of not participating on the Board.

AB 767 also creates the Office of the Small Business Advocate at the Department of Commerce. The Advocate would have the authority, upon the request of a small business, to review and investigate enforcement actions taken by agencies against small business. Additionally, the bill requires each agency to designate a Small Business Regulatory Coordinator to act as a point of contact for small business regulatory issues, to work cooperatively with the Office of the Small Business Advocate and provide specified information to the Advocate in the event of an investigation. Each agency is further required to assist small business in complying with its rules, to establish reduced fines for minor violations of rules and, under specific circumstances, to consider alternative penalties to fines for small business.

DOA has no way to estimate the frequency or extent of investigations by the Office of the Small Business Advocate and, consequently, the cost of cooperating with the Advocate is indeterminate. Further, DOA cannot estimate the future number of rules it may make that will be deemed to impact small business, nor can it forecast a cost to comply with changes to those rules that may be suggested by the Board. Consequently, this cost is also indeterminate.

Long-Range Fiscal Implications

Unknown.