

Fiscal Estimate Narratives

DOA 4/7/2011

LRB Number	11-1714/1	Introduction Number	SB-047	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, the role of the Office of Regulatory Assistance in the Department of Commerce, and requiring the exercise of rule-making authority					

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.

SB-47 eliminates the representation of the DOA and eight other state agencies on the Board. It also permits the Board, rather the proposing agency, to make the determination whether a proposed rule has a significant economic impact on small business.

DOA does not anticipate a fiscal or significant workload impact as a result of not participating on the Board. DOA has no way to forecast which, if any, rules it might make that the Small Business Regulatory Review Board may determine to have a significant economic impact on small business. Additionally, DOA is not able to make a reasonable estimate of the cost of complying with any changes the Board may suggest. Consequently, the cost of complying with Board determinations or suggestions is indeterminate.

SB-47 also requires that the Small Business Regulatory Coordinator designated by each agency to work cooperatively with the staff of the Office of Regulatory Assistance and the Small Business Ombudsman Clearinghouse at the Department of Commerce. 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 historically worked cooperatively with small businesses and other state agencies and does not anticipate any additional fiscal impact attributable to the requirements of this bill.

Long-Range Fiscal Implications

Unknown