

FIRST REGULAR SESSION

HOUSE BILL NO. 1101

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ERVIN (Sponsor) AND SCAVUZZO (Co-sponsor).

2484L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 536.310, RSMo, and to enact in lieu thereof one new section relating to the small business regulatory fairness board.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 536.310, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 536.310, to read as follows:

536.310. 1. The board shall:

(1) Provide state agencies with input regarding rules that adversely affect small businesses;

(2) Solicit input and conduct hearings from small business owners and state agencies regarding any rules proposed by a state agency; and

(3) Provide an evaluation report to the governor and the general assembly, including any recommendations and evaluations of state agencies regarding regulatory fairness for Missouri's small businesses. The report shall include comments from small businesses, state agency responses, and a summary of any public testimony on rules brought before the board for consideration.

2. In any inquiry conducted by the board because of a request from a small business owner, the board may make recommendations to the state agency. If the board makes recommendations, such recommendations shall be based on any of the following grounds:

(1) The rule creates an undue barrier to the formation, operation, and expansion of small businesses in a manner that significantly outweighs the rule's benefits to the public; or

(2) New or significant economic information indicates the proposed rule would create an undue impact on small businesses; or

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (3) Technology, economic conditions, or other relevant factors justifying the purpose for
19 the rule has changed or no longer exists; or

20 (4) If the rule was adopted after August 28, 2004, whether the actual effect on small
21 businesses was not reflected in or significantly exceeded the small business impact statement
22 submitted prior to the adoption of the rules.

23 **3. Subject to appropriations, the board may hire one-half full-time equivalent**
24 **employee for clerical support and one full-time equivalent employee for a professional**
25 **position to:**

26 (1) **Conduct Internet web site additions, corrections, and deletions;**

27 (2) **Develop training programs for agencies;**

28 (3) **Send regulatory alerts to interested small business subscribers;**

29 (4) **Track small business comments regarding agencies and review and respond to**
30 **the agency and small business accordingly;**

31 (5) **Prepare for board meetings and hearings, including outreach, travel, agendas,**
32 **and minutes;**

33 (6) **Prepare member maintenance expense reports and appointments;**

34 (7) **Analyze small business impact statements. After such analysis, the employee**
35 **shall review such statements, offer suggestions, and work with agencies to meet the statute**
36 **requirements;**

37 (8) **Analyze biannual report reviews;**

38 (9) **Conduct agency correspondence and training;**

39 (10) **Conduct small business outreach by speaking at chamber and association**
40 **events;**

41 (11) **Review the Missouri register and other sources to look for proposed rules that**
42 **may affect small business.**

43 **4. Subject to appropriations, the board may receive additional funds for:**

44 (1) **Upkeep of its Internet web site;**

45 (2) **Information technology;**

46 (3) **Mileage for board members;**

47 (4) **Publication, printing, and distribution of annual reports; and**

48 (5) **Outreach costs.**

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