

FIRST REGULAR SESSION

SENATE BILL NO. 182

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RIDGEWAY.

Read 1st time January 26, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

1180S.011

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Section A. Section 536.310, RSMo, is repealed and one new section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

536.310. 1. The board shall:

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

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

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

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

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

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

20 (3) Technology, economic conditions, or other relevant factors justifying

21 the purpose for the rule has changed or no longer exists; or

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

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

28 (1) Conduct internet website additions, corrections, and
29 deletions;

30 (2) Develop training programs for agencies;

31 (3) Send regulatory alerts to interested small business
32 subscribers;

33 (4) Track small business comments regarding agencies and
34 review and respond to the agency and small business accordingly;

35 (5) Prepare for board meetings and hearings, including outreach,
36 travel, agendas, and minutes;

37 (6) Prepare member maintenance expense reports and
38 appointments;

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

42 (8) Analyze biannual report reviews;

43 (9) Conduct agency correspondence and training;

44 (10) Conduct small business outreach by speaking at chamber
45 and association events;

46 (11) Review the Missouri Register and other sources to look for
47 proposed rules that may affect small business.

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

50 (1) Upkeep of its internet website;

51 (2) Information technology;

52 (3) Mileage for board members;

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

54 (5) Outreach costs.

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