

FIRST REGULAR SESSION

SENATE BILL NO. 544

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ROWDEN.

Read 1st time March 1, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

2336S.011

AN ACT

To repeal section 536.305, 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Section A. Section 536.305, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 536.305, to read as follows:

536.305. 1. There is hereby established the "Small Business Regulatory
2 Fairness Board". The [department of economic development] **secretary of state**
3 shall provide staff support for the board.

4 2. The board shall be composed of nine members appointed in the
5 following manner:

6 (1) One member who is the chair of the minority business advocacy
7 commission;

8 (2) One member appointed by the president pro tempore of the senate;

9 (3) One member appointed by the minority leader of the senate;

10 (4) One member appointed by the speaker of the house of representatives;

11 (5) One member appointed by the minority leader of the house of
12 representatives; and

13 (6) Four members appointed by the governor.

14 3. Each member of the board, except for the public members and the chair
15 of the minority business advocacy commission, shall be a current or former owner
16 or officer of a small business. All members of the board shall represent a variety
17 of small businesses, both rural and urban, and be from a variety of geographical
18 areas of this state, provided that no more than two members shall represent the
19 same type of small business.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 4. Members of the board shall serve a term of three years and may be
21 reappointed at the conclusion of the term. No member shall serve more than
22 three consecutive terms. Appointments shall be made so that one-third of the
23 membership of the board shall terminate each year. The governor shall appoint
24 the initial chairperson of the board and a majority of the board shall elect
25 subsequent chairpersons. The chairperson shall serve as chair for a term of not
26 more than two years.

27 5. Members of the board shall serve without compensation, but may be
28 reimbursed for reasonable and necessary expenses relating to their performance
29 of duties, according to the rules and regulations of travel issued by the office of
30 administration. Members will be required to submit an expense account form in
31 order to obtain reimbursement for expenses incurred.

32 6. The board shall meet as often as necessary, as determined by the
33 chairperson of the board. All meetings of the board will be conducted in
34 accordance with the governmental bodies and records act, chapter 610, including
35 closed sessions. Notice will be posted and will be provided to the joint committee
36 on administrative rules. Minutes of the meetings shall be provided to all
37 members, the office of the governor, and the joint committee on administrative
38 rules.

39 7. In addition to any other powers provided by sections 536.300 to
40 536.328, the board may adopt any rules necessary to implement sections 536.300
41 to 536.328 and take any action necessary to effectuate the purposes of sections
42 536.300 to 536.328. Any rule or portion of a rule, as that term is defined in
43 section 536.010, that is created under the authority delegated in this section shall
44 become effective only if it complies with and is subject to all of the provisions of
45 this chapter and, if applicable, section 536.028. This section and this chapter are
46 nonseverable and if any of the powers vested with the general assembly pursuant
47 to this chapter to review, to delay the effective date, or to disapprove and annul
48 a rule are subsequently held unconstitutional, then the grant of rulemaking
49 authority and any rule proposed or adopted after August 28, 2005, shall be
50 invalid and void.

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