SENATE DOCKET, NO. 231 FILED ON: 1/18/2011

SENATE . . . . . No. 1845

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to making technical corrections to the small business regulatory impact statements.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael O. Moore	☐ *[District]* ☐
Sal N. DiDomenico	*Middlesex, Suffolk, and Essex*
Bruce E. Tarr	☐ *[District]* ☐
Harriette L. Chandler	☐ *[District]* ☐
Jennifer L. Flanagan	☐ *[District]* ☐
Carolyn C. Dykema	*8th Middlesex*
Karen E. Spilka	☐ *[District]* ☐

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SENATE . . . . . No. 1845

By Mr. Moore, a petition (accompanied by bill, Senate, No. 1845) of Michael O. Moore, Sal N. DiDomenico, Bruce E. Tarr, Harriette L. Chandler and other members of the General Court for legislation to make technical corrections to the small business regulatory impact statements. Community Development and Small Businesses.

The Commonwealth of Massachusetts

An Act relative to making technical corrections to the small business regulatory impact statements.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 240 of the acts of 2010 is hereby amended by striking out sections 67 and 68 in their entirety and inserting in place thereof the following two new sections:

SECTION 67.Section 2 of said chapter 30A, as so appearing, is hereby amended by inserting after the third paragraph the following 2 paragraphs:-

The notice shall also include a small business impact statement considering the impact of the proposed regulation on small business with the state secretary. Notwithstanding the provisions of section 6, the state secretary shall include the statement of small business consideration and the full text of said small business impact statement on the electronic website of the state secretary; provided, however, that the full text of the small business impact statement may also be inspected and copied in the office of the state secretary during business hours.

That small business impact statement shall include, but not be limited to, the following:

(1)an estimate of the number of small businesses subject to the proposed regulation;

(2)projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation;

(3)the appropriateness of performance standards versus design standards;

(4)an identification of regulations of the promulgating agency, or of another agency or department of the commonwealth, which may duplicate or conflict with the proposed regulation; and

19 (5)an analysis of whether the proposed regulation is likely to deter or encourage the
20 formation of new businesses in the commonwealth;

21 SECTION 68.Section 3 of said chapter 30A, as so appearing, is hereby amended by
22 inserting after the third paragraph the following 2 paragraphs:-

23 The notice shall also include a small business impact statement considering the impact of
24 the proposed action on small businesses with the state secretary.

25 Notwithstanding the provisions of section 6, the state secretary shall include the
26 statement of small business consideration and the full text of said small business impact
27 statement on the electronic website of the state secretary; provided, however, that the full text of
28 the small business impact statement may also be inspected and copied in the office of the state
29 secretary during business hours.

30 That small business impact statement shall include, but not be limited to, the following:

31 (1)an estimate of the number of small businesses subject to the proposed regulation;

32 (2)projected reporting, recordkeeping and other administrative costs required for
33 compliance with the proposed regulation;

34 (3)the appropriateness of performance standards versus design standards;

35 (4)an identification of regulations of the promulgating agency, or of another agency or
36 department of the commonwealth, which may duplicate or conflict with the proposed regulation;
37 and

38 (5)an analysis of whether the proposed regulation is likely to deter or encourage the
39 formation of new businesses in the commonwealth;