



SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1418 be amended to read as follows:

- 1 Page 13, between lines 27 and 28, begin a new paragraph and insert:
2 "SECTION 4. IC 5-28-4-2, AS AMENDED BY P.L.237-2017,
3 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2021]: Sec. 2. (a) The board is composed of the following
5 members, none of whom may be members of the general assembly:
6 (1) The governor.
7 (2) Eleven (11) individuals appointed by the governor, **one (1) of**
8 **whom must be the owner of a small business with fifty (50) or**
9 **fewer employees.**
10 (3) The members (if any) appointed by the governor under
11 subsection (c).
12 The individuals appointed under subdivision (2) and the individuals
13 appointed under subsection (c) must be employed in or retired from the
14 private or nonprofit sector or academia.
15 (b) When making appointments under subsection (a)(2), the
16 governor shall appoint the following:
17 (1) At least five (5) members belonging to the same political party
18 as the governor.
19 (2) At least three (3) members who belong to a major political
20 party (as defined in IC 3-5-2-30) other than the party of which the
21 governor is a member.
22 (c) In addition to the members appointed under subsection (a)(2),
23 the governor may appoint not more than three (3) additional members
24 to the board. If the governor appoints more than one (1) additional
25 member to the board under this subsection, at least one (1) of the
26 additional members must belong to a major political party (as defined

1 in IC 3-5-2-30) other than the party of which the governor is a
2 member."

3 Page 16, delete lines 26 through 42, begin a new paragraph and
4 insert:

5 "SECTION 6. IC 5-28-17-6, AS AMENDED BY P.L.130-2018,
6 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2021]: Sec. 6. **(a)** The corporation shall designate ~~an~~
8 **employee to be a small business executive** as the small business
9 ombudsman.

10 **(b) The small business ombudsman reports directly to the**
11 **secretary of commerce.**

12 **(c)** The small business ombudsman shall carry out the following
13 duties:

14 **(1) Build relationships with regional and local economic**
15 **development directors.**

16 **(2) Build relationships with local elected officials throughout**
17 **the state.**

18 **(3) Champion small business development throughout the**
19 **state by assisting small businesses in connecting with the**
20 **corporation's small business start up programs.**

21 **(4) Operate as a liaison for regional and local economic**
22 **directors, local elected officials, and corporation small**
23 **business programs.**

24 ~~(+)~~ **(5)** Work with state agencies to permit increased enforcement
25 flexibility and the ability to grant common sense exemptions for
26 first time offenders of state rules and policies, including,
27 notwithstanding any other law, policies for the compromise of
28 interest and penalties related to a listed tax (as defined in
29 IC 6-8.1-1-1) and other taxes and fees collected or administered
30 by a state agency.

31 ~~(+)~~ **(6)** Work with state agencies to seek ways to consolidate
32 forms and eliminate the duplication of paperwork, harmonize
33 data, and coordinate due dates.

34 ~~(+)~~ **(7)** Coordinate with OMB (as defined in IC 4-3-22-3) to
35 perform cost benefit analyses.

36 ~~(+)~~ **(8)** Work with state agencies to monitor any outdated,
37 ineffective, or overly burdensome information requests from state
38 agencies to small businesses.

39 ~~(+)~~ **(9)** Carry out the duties specified under IC 4-22-2-28 and
40 IC 4-22-2.1 to review proposed rules and participate in
41 rulemaking actions that affect small businesses.

42 ~~(+)~~ **(10)** Coordinate with the ombudsman designated under
43 IC 13-28-3-2 and the office of voluntary compliance established
44 by IC 13-28-1-1 to coordinate the provision of services required
45 under IC 4-22-2-28.1 and IC 13-28-3.

46 ~~(+)~~ **(11)** Prepare written and electronic information for periodic

1 distribution to small businesses describing the small business
 2 services provided by coordinators (as defined in
 3 IC 4-22-2-28.1(b)) and work with the office of technology
 4 established by IC 4-13.1-2-1 to place information concerning the
 5 availability of these services on state Internet web sites that the
 6 small business ombudsman or a state agency determines are most
 7 likely to be visited by small business owners and managers.
 8 ~~(8)~~ **(12)** Assist in training agency coordinators who will be
 9 assigned to rules under IC 4-22-2-28.1(e).
 10 ~~(9)~~ **(13)** Investigate and attempt to resolve any matter regarding
 11 compliance by a small business with a law, rule, or policy
 12 administered by a state agency, either as a party to a proceeding
 13 or as a mediator.
 14 State agencies shall cooperate with the small business ombudsman to
 15 carry out the purpose of this section. The department of state revenue
 16 and the department of workforce development shall establish a program
 17 to distribute the information described in subdivision (7) to small
 18 businesses that are required to file returns or information with these
 19 state agencies."
 20 Page 17, delete lines 1 through 30.
 21 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1418 as printed April 6, 2021.)

Senator ZAY