

HOUSE No. 00986

The Commonwealth of Massachusetts

PRESENTED BY:

Paul Adams

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 bill:

An Act making technical changes to regulatory impact statements.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Paul Adams</i>	<i>17th Essex</i>
<i>Elizabeth Poirier</i>	<i>14th Bristol</i>
<i>Michael R. Knapik</i>	<i>Second Hampden and Hampshire</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Steven L. Levy</i>	<i>4th Middlesex</i>
<i>Kate Hogan</i>	<i>3rd Middlesex</i>

HOUSE No. 00986

By Mr. Paul Adams of Andover, petition (accompanied by bill, House, No. 00986) of Elizabeth Poirier and others relative to small business impact statements on proposed regulations. Joint Committee on Community Development and Small Businesses.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act making technical changes to 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:

- 1 SECTION 1. Chapter 240 of the acts of 2010 is hereby amended by striking out sections 67 and
- 2 68 in their entirety and inserting in place thereof the following two new sections:
- 3 "Section 67. Section 2 of said chapter 30A, as so appearing, is hereby amended by inserting after
- 4 the third paragraph the following 2 paragraphs:-
- 5 The notice shall also include a small business impact statement considering the impact of the
- 6 proposed regulation on small business with the state secretary. Notwithstanding the provisions of
- 7 section 6, the state secretary shall include the statement of small business consideration and the
- 8 full text of said small business impact statement on the electronic website of the state secretary;
- 9 provided, however, that the full text of the small business impact statement may also be
- 10 inspected and copied in the office of the state secretary during business hours.
- 11 That small business impact statement shall include, but not be limited to, the following:

- 12 (1)an estimate of the number of small businesses subject to the proposed regulation;
- 13 (2)projected reporting, recordkeeping and other administrative costs required for compliance
14 with the proposed regulation;
- 15 (3)the appropriateness of performance standards versus design standards;
- 16 (4)an identification of regulations of the promulgating agency, or of another agency or
17 department of the commonwealth, which may duplicate or conflict with the proposed regulation;
18 and
- 19 (5)an analysis of whether the proposed regulation is likely to deter or encourage the formation of
20 new businesses in the commonwealth;

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

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

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