

# HOUSE . . . . . No. 986

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## The Commonwealth of Massachusetts

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PRESENTED BY:

*Paul Adams*

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*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 adoption of the accompanying bill:

An Act making technical changes to regulatory impact statements.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul Adams</i>	<i>17th Essex</i>	<i>1/20/2011</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>	<i>2/3/2011</i>
<i>Michael R. Knapik</i>		<i>2/3/2011</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>2/3/2011</i>
<i>Steven L. Levy</i>	<i>4th Middlesex</i>	<i>2/3/2011</i>
<i>Kate Hogan</i>	<i>3rd Middlesex</i>	<i>2/3/2011</i>

# HOUSE . . . . . No. 986

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By Mr. Adams of Andover, a petition (accompanied by bill, House, No. 986) of Paul Adams and others relative to small business impact statements on proposed regulations. Community Development and Small Businesses.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven  
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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  
2   67 and 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  
4   inserting after the third paragraph the following 2 paragraphs:-

5           The notice shall also include a small business impact statement considering the impact of  
6   the proposed regulation on small business with the state secretary. Notwithstanding the  
7   provisions of section 6, the state secretary shall include the statement of small business  
8   consideration and the full text of said small business impact statement on the electronic website  
9   of the state secretary; provided, however, that the full text of the small business impact statement  
10   may also be 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;

(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

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

Section 68. Section 3 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 action on small businesses 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;

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;".