SENATE DOCKET, NO. 1170 FILED ON: 1/15/2025

SENATE . . . . . No. 175

The Commonwealth of Massachusetts

PRESENTED BY:

Kelly A. Dooner

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 promoting small business growth in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kelly A. Dooner	*Third Bristol and Plymouth*

SENATE DOCKET, NO. 1170 FILED ON: 1/15/2025

SENATE . . . . . No. 175

By Ms. Dooner, a petition (accompanied by bill, Senate, No. 175) of Kelly A. Dooner for legislation to promote small business growth in the Commonwealth. Community Development and Small Businesses.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act promoting small business growth in the Commonwealth.

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. For the purposes of this act, “Small business” shall mean a business entity, including its affiliates, that (a) is independently owned and operated; (b) has a principal place of business in the commonwealth; and (c) would be defined as a "small business" under applicable federal law, as established in the United States Code and promulgated from time to time by the United States Small Business Administration.

SECTION 2. Chapter 30A of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following section:

Section 26. Small Business Administrative Rights.

(a) All state agencies shall respond to inquiries, requests for information, or other correspondence from small businesses within 24 hours of receipt, excluding weekends and state holidays.

(b) State agencies shall notify small businesses by email of any pending rule changes, compliance requirements, or other regulatory updates no later than 7 days after such changes are published.

(c) Small businesses shall have the right to a hearing within 30 days of a request to contest violations, penalties, or other adverse actions. Agencies shall provide clear written explanations of any alleged violations, including citations to applicable laws or regulations.

(d) State agencies shall provide accessible and plain-language instructions to assist small businesses, in achieving compliance with state regulations. No penalties shall be issued for noncompliance unless the small business is given a reasonable time to rectify the issue, as determined by the agency's rules.

SECTION 3. Chapter 62C of the General Laws, as appearing in the 2022 official edition, is hereby amended by adding the following section:

Section 19A. One-Year Waiting Period for New Taxes on Small Businesses.

(a) Any new tax, fee, or financial charge on small businesses shall not take effect until one year after it is enacted.

(b) The Department of Revenue must notify all affected small businesses in writing at least six months before the new tax or fee takes effect. The notice must include: (1) The law or regulation creating the tax or fee; (2) A plain-language summary of its purpose and requirements; And (3) Instructions for how to appeal.

(c) Small businesses may appeal the new tax or fee within 30 days of receiving the notice. The Department of Revenue must hold a hearing within 60 days and provide a written decision within 30 days after the hearing.

(d) This waiting period may be waived only during a declared state of emergency if the Governor and two-thirds of both legislative chambers approve.

SECTION 4. Chapter 93 of the General law, as appearing in the 2022 official edition, is hereby amended by adding the following section:-

Section 115. Centralized Permitting and Licensing Portal for Small Businesses.

(a) The Secretary of the Commonwealth, in coordination with the Executive Office of Health and Human Services, Executive Office of Economic Development, the Executive Office of Energy and Environmental Affairs, and other relevant state agencies, shall establish and maintain a centralized online portal to streamline licensing, permitting, and registration processes for small businesses, within the Commonwealth.

(b) The portal shall: (1) Provide a unified platform for applying, renewing, and tracking compliance for licenses and permits; (2) Include licensing and permitting requirements from all relevant state agencies, boards, and commissions; (3) Offer comprehensive guidance and resources to help small businesses meet compliance requirements; (4) Facilitate secure online payments for applicable fees;(5) include the capability for real-time tracking of permit and license applications, allowing users to monitor the status, progress, and any outstanding requirements in real time; and (6) Include a feedback mechanism for users to report issues or suggest improvements.

(c) Each agency, board, and commission overseeing licensing or permitting processes for small businesses shall collaborate with the Secretary of the Commonwealth to integrate their processes into the portal within 12 months of the effective date of this section.

(d) The Secretary of the Commonwealth shall adopt regulations to implement this section, including timelines for agency integration and performance benchmarks for the portal.

(e) The Secretary shall submit an annual report to the Governor, the Speaker of the House, the Senate President, the Minority Leaders of both chambers, and the Chairs of the Joint Committee on Community Development and Small Businesses. This report shall detail the portal's operations, usage statistics, and provide any recommendations for improvement.

SECTION 5. Section 9-525 of Chapter 106 of the General Law, as so appearing, is hereby amended by adding the following subsection:-

(e) Small business fee reduction. Notwithstanding any general or special law to the contrary, the fees specified in subsections (a), (b), and (c) of this section shall be reduced by 50 percent for entities classified as small businesses. The Secretary of the Commonwealth shall promulgate regulations to implement this fee reduction.

SECTION 6. Section 45 of Chapter 108A of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after paragraph (1) the following paragraph:-

Notwithstanding any general or special law or rule or regulation to the contrary, the registration fee for entities classified as small businesses, shall be 250 dollars.

SECTION 7. Said section of chapter 108A of the General Laws, as so appearing, is hereby amended by inserting after paragraph (3) the following paragraph:-

Notwithstanding any general or special law or rule or regulation to the contrary, the annual report fee for entities classified as small businesses, shall be 250 dollars.

SECTION 8. Section 13 of chapter 109 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following subsection:-

(c) Notwithstanding any general or special law or rule or regulation to the contrary, the filing fees for certificates of limited partnership, certificates of amendment, certificates of cancellation, and judicial decrees of amendment or cancellation shall be reduced by 50 percent for entities classified as small businesses. The Secretary of the Commonwealth shall promulgate regulations to implement this fee reduction.

SECTION 9. Said section of chapter 109 of the General Laws, as so appearing, is hereby amended by adding the following subsection:-

(d) Notwithstanding any general or special law to the contrary, the annual report fee for limited partnerships shall be reduced by 50 percent for entities classified as small businesses.

SECTION 10. Chapter 112 of the General Laws, as so appearing, is hereby amended by adding after section 289, the following section:-

Section 290. Reduction of Professional Licensing Fees for Small Businesses.

Notwithstanding any general or special law to the contrary, all fees required under this chapter for obtaining, renewing, or reinstating professional licenses shall be reduced by 50 percent for individuals classified as small business owners. Each licensing board shall promulgate regulations to implement this reduction and ensure consistency across professions.

SECTION 11. Section 114 of chapter 156B of the General Laws, as so appearing, is hereby amended by adding the following paragraph at the end:-

Notwithstanding any general or special law to the contrary, all fees required under this section shall be reduced by 50 percent for entities classified as small businesses. The Secretary of the Commonwealth shall promulgate regulations to implement this fee reduction.

SECTION 12. Section 2B of Chapter 141 of the General Laws, as so appearing, is hereby amended by inserting after the first paragraph the following paragraph:- Notwithstanding any general or special law to the contrary, the fees required under this section for licenses, examinations, and renewals shall be reduced by 50 percent for individuals classified as small business owners. The Board of State Examiners of Electricians shall promulgate regulations to implement this reduction.

SECTION 13. Section 5 of chapter 142 of the General Laws, as so appearing, is hereby amended by inserting after the first paragraph the following paragraph:-

Notwithstanding any general or special law to the contrary, the fees required under this section for licenses, examinations, and renewals shall be reduced by 50 percent for individuals classified as small business owners. The Board of State Examiners of Plumbers and Gas Fitters shall promulgate regulations to implement this reduction.

SECTION 14. Section 12 of chapter 156C of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking subsection (d) and inserting in place thereof the following:-

(d) The fee for the filing of the certificate of organization required by subsection (a) shall be 250 dollars. The fee for the filing of the annual report required by subsection (c) shall be 250 dollars. Such fees shall be paid to the state secretary at the time the certificate of organization or the annual report is filed.

SECTION 15. Section 1.22 of chapter 156D of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting the following paragraph:-

Notwithstanding any general or special law or rule or regulation to the contrary, fees under this section shall be reduced by 50 percent for small businesses. The commissioner shall issue regulations to implement this provision.

SECTION 16. Notwithstanding any general or special law to the contrary, to the extent feasible any boards or commission created regarding excise policy shall have at least one member that represents small business in the commonwealth.