

JAN 24 2018

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**A BILL FOR AN ACT**

RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 201M-5, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:  
3           "(a) There shall be established within the department of  
4 business, economic development, and tourism, for administrative  
5 purposes, a small business regulatory review board to review any  
6 proposed new or amended rule. If the board determines that a  
7 proposed rule will not have a significant economic impact on a  
8 substantial number of small businesses, the board shall submit a  
9 statement to that effect to the agency that sets forth the  
10 reason for the board's decision. If the board determines that  
11 the proposed rule will have a significant economic impact on a  
12 substantial number of small businesses, the board may submit to  
13 the agency suggested changes in the proposed rule to minimize  
14 the economic impact of the proposed rule, or may recommend the  
15 withdrawal of the proposed rule. The board may also consider  
16 any request from small business owners for review of any rule  
17 proposed, amended, or adopted by a state agency and to make  
18 recommendations to the agency or the legislature regarding the

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1 need for a rule change or legislation. For requests regarding  
2 county [~~ordinances,~~] rules, the board may make recommendations  
3 to the county council or the mayor for appropriate action."


4 SECTION 2. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

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BY REQUEST

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**S .B. NO. 2753**

**Report Title:**

Small Business Regulatory Review Board

**Description:**

Clarifies the intent of the Small Business Regulatory Review Board's powers when reviewing state and county administrative rules that impact small business.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

JUSTIFICATION SHEET

DEPARTMENT: Business, Economic Development, and Tourism

TITLE: A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD.

PURPOSE: To clarify the powers of the Small Business Regulatory Review Board by adding that the Board may consider any request from small business owners for review of a rule that is "proposed" and "amended" as well as adopted by a state agency, and to change "ordinances" to "rules" when making recommendations to the county council or the mayor for appropriate action.

MEANS: Amend section 201M-5(a), Hawaii Revised Statutes.

JUSTIFICATION: To clarify the intent of the Small Business Regulatory Review Board's powers when reviewing state and county administrative rules that impact small business.

Impact on the public: Ensures the stability of the Small Business Regulatory Review Board by clarifying its powers under the Regulatory Flexibility Act.

Impact on the department and other agencies: Minimal.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: BED 142.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: Upon approval.