

A-Engrossed
Senate Bill 1583

Ordered by the Senate February 12
Including Senate Amendments dated February 12

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Authorizes Office of Small Business Assistance to perform **certain** duties with respect to [*county and municipal agencies and authorities*] **local governments**. Authorizes office to refer small businesses to appropriate resources to answer questions posed by small businesses.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the Office of Small Business Assistance; creating new provisions; amending ORS 56.200
3 and 56.203; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 56.200 is amended to read:

6 56.200. As used in ORS 56.200 to 56.209:

7 (1) **“Business” means any corporation, partnership, company, cooperative, sole**
8 **proprietorship or other legal entity organized or operating for pecuniary or nonpecuniary**
9 **gain.**

10 (2) **“Local government” has the meaning given that term in ORS 174.116.**

11 [(1)] (3) **“Small business” means a prospective, new or established business with 100 or fewer**
12 **employees that is or will be located in Oregon.**

13 [(2)] (4) **“State agency” means an agency of the executive department, as defined in ORS 174.112.**

14 **SECTION 2.** ORS 56.203 is amended to read:

15 56.203. (1) The Office of Small Business Assistance is established within the Office of Secretary
16 of State. The Secretary of State shall employ and appoint personnel necessary to perform the func-
17 tions and duties of the Office of Small Business Assistance.

18 (2) The Office of Small Business Assistance shall:

19 (a) Assist state agencies with regulatory authority over small businesses to ensure that small
20 businesses that are subject to audit, on-site inspection, compliance monitoring or compliance assist-
21 ance efforts by state agencies, or that receive enforcement-related communications from or have
22 contacts with state agencies with regulatory authority over small businesses, are provided with the
23 means to comment on these interactions with state agencies.

24 (b) Work with state agencies for the purpose of facilitating interactions between small busi-
25 nesses and state agencies, including but not limited to obtaining timely responses to small business
26 inquiries and requests, and resolving issues that arise in the administrative, regulatory and

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 enforcement functions of state agencies with respect to small businesses.

2 (c) Work with small businesses and state agencies to identify and recommend efficient, respon-
3 sive and nonretaliatory processes for:

4 (A) Receiving concerns or complaints from small businesses regarding interactions with state
5 agencies;

6 (B) Participation of small businesses in general studies, conferences, inquiries or meetings that
7 would improve the functioning of state agencies with regulatory authority over small businesses;

8 (C) Identifying causes of unnecessary delays, inconsistencies in the administrative, regulatory
9 and enforcement functions of state agencies and inefficient uses of state resources; and

10 (D) Making recommendations for resolving issues and disputes that arise in the context of
11 interactions between state agencies and small businesses.

12 **(d) Upon receipt of a question from a small business relating to any aspect of starting,
13 operating or winding up a small business, direct or refer the small business to an appropriate
14 resource to answer the question.**

15 **(e) Work with small businesses and local governments for the purpose of facilitating
16 interactions between small businesses and local governments, including but not limited to
17 resolving issues that arise in the administrative, regulatory and enforcement functions of
18 local governments with respect to small businesses.**

19 **(f) Work with small businesses and local governments to identify and recommend ways
20 to improve processes and functions of local governments with respect to the interaction be-
21 tween local governments and small businesses, including but not limited to conducting gen-
22 eral studies, conferences, inquiries or meetings.**

23 (3) All state agencies shall cooperate with and assist the Office of Small Business Assistance in
24 the performance of its duties and functions.

25 (4) Writings and information provided to, and communications with, the Office of Small Business
26 Assistance under subsection (2) of this section are confidential and exempt from disclosure under
27 ORS 192.410 to 192.505, except as necessary to prepare the report required under ORS 56.206.

28 (5) The Secretary of State may adopt rules necessary to implement the provisions of ORS 56.200
29 to 56.209.

30 **SECTION 3. Section 4 of this 2016 Act is added to and made a part of ORS 56.200 to 56.209.**

31 **SECTION 4. (1) In performing its duties under ORS 56.203 (2)(e), the Office of Small
32 Business Assistance shall:**

33 **(a) Within 30 days after a request for assistance from a small business or local govern-
34 ment, notify the requester of whether the office will work with the requester.**

35 **(b) Upon inquiry, inform the requester of the status of the office's work.**

36 **(c) Notify the requester upon completing its work.**

37 **(2) In performing its duties under ORS 56.203 (2)(f), the office may compile statistical
38 data or compile reports regarding requests for assistance or other communications that the
39 office receives from small businesses or local governments.**

40 **SECTION 5. This 2016 Act being necessary for the immediate preservation of the public
41 peace, health and safety, an emergency is declared to exist, and this 2016 Act takes effect
42 on its passage.**

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