

Senate Bill 538

Sponsored by Senator THATCHER (Presession filed.)

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 **as introduced**.

Directs Oregon Business Development Department, in collaboration with Department of Consumer and Business Services, to conduct study regarding state regulation of businesses and persons engaged in occupations. Directs departments to research, study and compile data regarding processes, requirements and fees imposed by state agencies upon Oregon businesses and persons engaged in occupations.

Requires report to Legislative Assembly on or before September 15, 2018.

Sunsets on December 31, 2018.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to study of state regulation related to businesses; and declaring an emergency.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Business" means, unless the context requires otherwise, a prospective, new or es-**
6 **tablished business that is or will be located in Oregon.**

7 (b) **"Person engaged in an occupation" means an individual engaged in a profession or**
8 **occupation for which certification, registration or licensure is required in this state.**

9 (c) **"State agency" means every state office, department, division, bureau, board or**
10 **commission or any other state agency that has functions related to the issuance of licenses,**
11 **permits, certificates or registrations to businesses or persons engaged in an occupation.**

12 (2) **The Oregon Business Development Department, in collaboration with the Department**
13 **of Consumer and Business Services, shall conduct a study to identify barriers to businesses**
14 **and persons engaged in an occupation that exist as a result of state agency policies and**
15 **regulations that have a negative impact on the initial or continuing phases of the businesses**
16 **or occupations. The departments may narrow the focus of the study to target specific sub-**
17 **jects that the departments deem to be of greatest relevance and significance. In conducting**
18 **the study, the departments shall, in particular:**

19 (a) **Research, study and compile data regarding:**

20 (A) **The processes and requirements imposed by state agencies upon businesses and per-**
21 **sons engaged in an occupation in order for the businesses or persons to obtain or renew li-**
22 **censes, permits, certificates or registrations needed to conduct business or engage in an**
23 **occupation in Oregon, including but not limited to the amount of time taken to obtain or**
24 **renew licenses, permits, certificates and registrations; and**

25 (B) **The types and amounts of fees, including the availability of waivers and deferrals of**
26 **fees, imposed by state agencies upon businesses and persons engaged in an occupation in**
27 **order for the businesses or persons to obtain or renew licenses, permits, certificates or**
28 **registrations needed to conduct business or engage in an occupation in Oregon.**

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 (b) Determine the effectiveness and efficiency of processes and requirements identified
2 in paragraph (a) of this subsection.

3 (c) Make recommendations to improve processes and requirements identified under par-
4 agraph (a) of this subsection in order to streamline and improve the efficacy of such pro-
5 cesses and requirements, including but not limited to consolidating or eliminating processes
6 and requirements implemented and used by state agencies.

7 (d) Collaborate with the Oregon Department of Administrative Services to make the re-
8 search, recommendations, proposed legislation and other information obtained as a result
9 of the study available to the public and businesses on the Oregon transparency website de-
10 veloped under ORS 184.483 and to obtain comments and feedback from the public and busi-
11 nesses throughout this state.

12 (3) In performing the study, the departments shall obtain feedback from businesses and
13 persons engaged in an occupation through the use of surveys, focus groups or other methods
14 for obtaining information including, but not limited to, the use of compilations of data and
15 information previously performed by other individuals, entities and research organizations.

16 (4) The departments may involve institutions of higher education in the study and utilize
17 resources and research available within the subject areas of the study that are available
18 through institutions of higher education.

19 (5) The departments may seek donations, gifts, grants and other funding to support the
20 study.

21 (6) The departments may convene an advisory committee to facilitate and guide the ex-
22 ecution of the study. The Director of the Oregon Business Development Department and the
23 Director of the Department of Consumer and Business Services shall select the members of
24 the advisory committee, which may include members of the Legislative Assembly.

25 (7) The departments shall submit a report in the manner provided by ORS 192.245, and
26 may include recommendations for legislation, to the interim committees of the Legislative
27 Assembly related to business and economic development, no later than September 15, 2018.

28 (8) All agencies of state government, as defined in ORS 174.111, are directed to assist the
29 departments in the performance of the study and the departments' duties under this section
30 and, to the extent permitted by laws relating to confidentiality, to furnish such information
31 and advice as the departments consider necessary to perform their duties.

32 **SECTION 2.** Section 1 of this 2017 Act is repealed on December 31, 2018.

33 **SECTION 3.** This 2017 Act being necessary for the immediate preservation of the public
34 peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect
35 on its passage.

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