

CHAPTER 25

AN ACT

SB 1583

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

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

SECTION 1. ORS 56.200 is amended to read: 56.200. As used in ORS 56.200 to 56.209:

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

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

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

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

SECTION 2. ORS 56.203 is amended to read:

56.203. (1) The Office of Small Business Assistance is established within the Office of Secretary of State. The Secretary of State shall employ and appoint personnel necessary to perform the functions and duties of the Office of Small Business Assistance.

(2) The Office of Small Business Assistance shall:

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

(b) Work with state agencies for the purpose of facilitating interactions between small businesses and state agencies, including but not limited to obtaining timely responses to small business inquiries and requests, and resolving issues that arise in the administrative, regulatory and enforcement functions of state agencies with respect to small businesses.

(c) Work with small businesses and state agencies to identify and recommend efficient, responsive and nonretaliatory processes for:

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

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

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

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

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

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

(f) Work with small businesses and local governments to identify and recommend ways to improve processes and functions of local governments with respect to the interaction between local governments and small businesses, including but not limited to conducting general studies, conferences, inquiries or meetings.

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

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

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

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

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

(a) Within 30 days after a request for assistance from a small business or local government, notify the requester of whether the office will work with the requester.

(b) Upon inquiry, inform the requester of the status of the office’s work.

(c) Notify the requester upon completing its work.

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

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

Approved by the Governor March 8, 2016
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