General Assembly

Raised Bill No. 1402

January Session, 2025

LCO No. **5162**

Referred to Committee on COMMERCE

Introduced by:
(CE)

AN ACT MODIFYING THE REGULATORY FLEXIBILITY ANALYSIS OF REGULATIONS AFFECTING SMALL BUSINESSES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (b) of section 4-168a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(b) Prior to or concomitant with the posting of a notice pursuant to section 4-168, each agency shall prepare a regulatory flexibility analysis in which the agency shall identify:

(1) The scope and objectives of the proposed regulation;

(2) The types of businesses potentially affected by the proposed regulation;

(3) The total number of small businesses potentially subject to the proposed regulation;

(4) Whether small businesses, in order to comply with the proposed regulation, may be required to: (A) Create, file or issue additional

reports; (B) implement additional recordkeeping procedures, including, but not limited to, the retention of records for a period of time; (C) provide additional administrative oversight; (D) hire additional employees; (E) hire or contract with additional professionals, including, but not limited to, lawyers, accountants, engineers, auditors or inspectors; (F) purchase any product or make any capital investment; (G) conduct additional training, audits or inspections; **[**or**]** (H) incur costs or pay additional taxes or fees; (I) modify or provide an additional employee benefit; (J) develop or modify an employee handbook; (K) post a required notice; (L) modify a product manufactured by the small business or the packaging of such product; or (M) develop or modify operating procedures;

(5) Whether and to what extent the agency communicated with small businesses or small business organizations in developing the proposed regulation and the regulatory flexibility analysis, if applicable;

(6) Whether and to what extent the proposed regulation provides alternative compliance methods for small businesses that will accomplish the objectives of applicable statutes while minimizing adverse impact on small businesses. Such methods shall be consistent with public health, safety and welfare and may include, but not be limited to:

(A) The establishment of less stringent compliance or reporting requirements for small businesses;

(B) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;

(C) The consolidation or simplification of compliance or reporting requirements for small businesses;

(D) The establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and

(E) The exemption of small businesses from all or any part of the requirements contained in the proposed regulation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	*July 1, 2025*	4-168a(b)

Statement of Purpose:

To expand what may be required in the regulatory flexibility analysis prepared by agencies prior to the adoption of a proposed regulation.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]