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HOUSE BILL 1197

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Richard D. Vigil

AN ACT

RELATING TO BUSINESS; GRANTING SMALL BUSINESS REGULATORY RELIEF; REQUIRING NOTICE FOR PROPOSED RULE CHANGES THAT MAY HAVE AN ADVERSE EFFECT ON SMALL BUSINESS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 14-4A-4 NMSA 1978 (being Laws 2005, Chapter 244, Section 4) is amended to read:

"14-4A-4. RULES AFFECTING SMALL BUSINESS.--

A. Prior to the adoption of a proposed rule that may have an adverse effect on small business, an agency shall provide a copy of the proposed rule to the commission at ~~the same time as persons who have requested advance notice of rulemaking~~ least sixty days prior to the scheduled adoption, except for emergency rules.

B. Prior to the adoption of a proposed change to an

underscored material = new  
[bracketed material] = delete

1 existing rule that may have an adverse effect on small  
2 business, an agency shall provide a copy of the proposed rule  
3 change to the commission at least thirty days prior to the  
4 scheduled adoption.

5 ~~[B-]~~ C. Prior to the adoption of a proposed rule  
6 that the agency deems to have an adverse effect on small  
7 business, the agency shall consider regulatory methods that  
8 accomplish the objectives of the applicable law while  
9 minimizing the adverse effects on small business.

10 D. Notification of public hearings regarding a  
11 proposed rule change that may have an adverse effect on small  
12 business shall be given directly to the commission at the same  
13 time as public notice is given.

14 E. The analysis shall be submitted to the  
15 commission along with notice of "no adverse effect to small  
16 business" by the issuing agency."