

## HR 5109

Small Business Bill of Rights

**Congress:** 111 (2009–2011, Ended)

**Chamber:** House

**Policy Area:** Commerce

**Introduced:** Apr 22, 2010

**Current Status:** Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

**Latest Action:** Referred to the Subcommittee on Health, Employment, Labor, and Pensions. (May 27, 2010)

**Official Text:** <https://www.congress.gov/bill/111th-congress/house-bill/5109>

### Sponsor

**Name:** Rep. Kirk, Mark Steven [R-IL-10]

**Party:** Republican • **State:** IL • **Chamber:** Senate

### Cosponsors (7 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Barton, Joe [R-TX-6]	R · TX		Apr 22, 2010
Rep. Dent, Charles W. [R-PA-15]	R · PA		Apr 22, 2010
Rep. Gerlach, Jim [R-PA-6]	R · PA		Apr 22, 2010
Rep. Lee, Christopher J. [R-NY-26]	R · NY		Apr 22, 2010
Rep. Sensenbrenner, F. James, Jr. [R-WI-5]	R · WI		Apr 22, 2010
Rep. Sessions, Pete [R-TX-32]	R · TX		Apr 22, 2010
Rep. Shimkus, John [R-IL-19]	R · IL		Apr 22, 2010

### Committee Activity

Committee	Chamber	Activity	Date
Appropriations Committee	House	Referred To	Apr 22, 2010
Education and Workforce Committee	House	Referred to	May 27, 2010
Energy and Commerce Committee	House	Referred To	Apr 22, 2010
Financial Services Committee	House	Referred To	Apr 22, 2010
Judiciary Committee	House	Referred To	Apr 22, 2010
Oversight and Government Reform Committee	House	Referred To	Apr 22, 2010
Rules Committee	House	Referred To	Apr 22, 2010
Small Business Committee	House	Referred To	Apr 22, 2010
Ways and Means Committee	House	Referred To	Apr 22, 2010

### Subjects & Policy Tags

**Policy Area:**

Commerce

## Related Bills

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*No related bills are listed.*

Small Business Bill of Rights - Amends the Internal Revenue Code to: (1) extend through 2011 the offset of nonrefundable personal credits against regular and alternative minimum tax (AMT) liability, the increased AMT exemption amount, and the reduced tax rates on dividends and capital gains; (2) reduce the tax rate on gain from the sale of qualified small business stock; (3) increase in 2009, 2010, or 2011 the tax deduction for business start-up expenses; (4) allow self-employed individuals to deduct health insurance costs in computing the tax on self-employment income; (5) increase and make permanent the tax credit for the purchase of hybrid motor vehicles; (6) allow a new tax credit for the purchase of flexible fuel vehicles; and (7) make the tax credits for residential energy efficiency expenditures and the tax deduction for energy efficient commercial building expenditures permanent.

Requires each report of a congressional committee on a public bill or joint resolution to contain a statement by the Comptroller General that certifies that such bill or resolution will not cause an increase in unemployment.

Exempts a small business concern from any amendment to the Internal Revenue Code after the enactment of this Act that would result in a tax increase to such business.

Authorizes the Administrator of the Small Business Administration (SBA) to take steps to limit the impact of federal regulations on small business concerns.

Postpones until December 31, 2015, the termination of the estate and generation-skipping transfer tax provisions enacted by the Economic Growth and Tax Relief Reconciliation Act of 2001.

Amends the National Labor Relations Act to make it an unfair labor practice for: (1) an employer to recognize or bargain collectively with a labor organization that has not been selected by a majority of the employees in a secret ballot election conducted by the National Labor Relations Board (NLRB); and (2) a labor organization to cause or attempt to cause an employer to recognize or bargain collectively with a representative that has not been selected in such manner.

Sets forth provisions to implement health care liability reforms. Amends the Public Health Service Act to allow for the purchase of health insurance coverage across state lines.

Amends the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to make the e-verify program permanent and to allow verification of employee legal status over the telephone. Allows small business concerns a 30-day grace period to correct errors in paperwork for which fines may be imposed under the Immigration and Nationality Act.

Expresses the sense of Congress against the enactment of any laws to lessen the protections for new products or processes under the patent law or to reduce the term of any existing patent. Establishes in the United States Patent and Trademark Office (USPTO) a Patent Ombudsman Program to assist small business concerns in filing patents.

Prohibits: (1) a federal agency from issuing a rule until it has studied whether such rule will have an unduly burdensome effect on small business concerns; and (2) the SBA Administrator, in carrying out SBA programs, from imposing any limit on executive compensation by any small business concern.

Requires the Comptroller General to conduct a study of each federal regulation to determine the burden such regulation imposes on small business concerns.

Amends the Small Business Act relating to the Service Corps of Retired Executives (SCORE) to require the SBA

Administrator to ensure that SCORE: (1) carries out a plan to increase the number of small business mentors; (2) establishes benchmarks for evaluating its activities and volunteers; and (3) establishes a mentoring program of one-on-one advice to small businesses from qualified counselors. Renames the Service Corps of Retired Executives as SCORE. Eliminates the Active Corps of Executives.

Amends the Small Business Act to increase from 23% to 30% the government-wide small business procurement contract goal. Requires the President, before the close of each fiscal year, to establish new goals. Requires each federal agency to have an annual goal at least equal to the federal goal.

Redefines the terms "bundled contract" and "bundling of contract requirements" for federal contract procurement purposes.

Amends the federal criminal code to impose criminal penalties for making a false statement concerning status as a small business concern in an effort to obtain a federal contract.

Rescinds any unobligated balances made available by the American Recovery and Reinvestment Act of 2009.

Repeals the Troubled Asset Relief Program (TARP). Requires any TARP funds repaid to the federal government to be used for deficit reduction.

### **Actions Timeline**

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- **May 27, 2010:** Referred to the Subcommittee on Health, Employment, Labor, and Pensions.
- **Apr 22, 2010:** Introduced in House
- **Apr 22, 2010:** Referred to House Ways and Means
- **Apr 22, 2010:** Referred to the Committee on Ways and Means, and in addition to the Committees on Small Business, Financial Services, Rules, Education and Labor, Energy and Commerce, the Judiciary, Oversight and Government Reform, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **Apr 22, 2010:** Referred to House Small Business
- **Apr 22, 2010:** Referred to House Financial Services
- **Apr 22, 2010:** Referred to House Rules
- **Apr 22, 2010:** Referred to House Education and Labor
- **Apr 22, 2010:** Referred to House Energy and Commerce
- **Apr 22, 2010:** Referred to House Judiciary
- **Apr 22, 2010:** Referred to House Oversight and Government Reform
- **Apr 22, 2010:** Referred to House Appropriations

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