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Regulatory Flexibility Improvements Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: Dec 1, 2011

Current Status: Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (text of mea

Latest Action: Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (text of measure as introduced: CR S8152-8155) (Dec 1, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/1938>

Sponsor

Name: Sen. Snowe, Olympia J. [R-ME]

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

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred To	Dec 1, 2011

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
112 HR 6240	Related bill	Sep 26, 2012: Referred to the Subcommittee on Higher Education and Workforce Training.
112 HR 527	Related bill	Dec 5, 2011: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

Regulatory Flexibility Improvements Act of 2011 - Amends the Regulatory Flexibility Act of 1980 (RFA) to revise the definition of "rule" under such Act to exclude a rule of particular (and not general) applicability relating to rates, wages, and other financial indicators and to define "economic impact" with respect to a proposed or final rule as any direct economic effect on small entities from such rule and any indirect economic effect on small entities that is reasonably foreseeable and that results from such rule. Includes tribal organizations within the definition of "small governmental jurisdictions" for purposes of such Act.

Requires initial and final regulatory flexibility analyses to: (1) describe alternatives to a proposed rule that minimize any adverse significant economic impact or maximize the beneficial significant economic impact on small entities, and (2) include revisions or amendments to a land management plan developed by the Secretary of Agriculture or the Secretary of the Interior under specified Acts.

Requires each federal agency to include in its regulatory flexibility agenda a description of the sector of the North American Industrial Classification System that is affected by a proposed agency rule which is likely to have a significant economic impact on a substantial number of small entities.

Expands elements of initial and final regulatory flexibility analyses under RFA to include estimates and descriptions of the cumulative economic impact of a proposed rule on a small entity.

Repeals provisions allowing a waiver or delay of the completion of an initial regulatory flexibility analysis. Requires the Chief Counsel for Advocacy of the Small Business Administration (SBA) to issue rules governing federal agency compliance with RFA requirements. Authorizes the Chief Counsel to modify or amend such rules, to intervene in agency adjudication relating to such rules, and to inform an agency of the impact of its rulemaking on small entities.

Revises requirements for agency notification of the SBA Chief Counsel for Advocacy prior to the publication of any proposed rule. Requires agencies to provide the Chief Counsel with: (1) all materials prepared or utilized in making the proposed rule, and (2) information on the potential adverse and beneficial economic impacts of the proposed rule on small entities.

Requires each agency to publish in the Federal Register a plan for the periodic review of existing and new rules that have a significant impact on a substantial number of small entities to determine whether such rules should be continued, changed, or rescinded.

Provides for judicial review of an agency final rule for compliance with RFA requirements after the publication of such rule. Grants federal courts of appeal jurisdiction to review all final rules issued in accordance with RFA.

Actions Timeline

- **Dec 1, 2011:** Introduced in Senate
- **Dec 1, 2011:** Sponsor introductory remarks on measure. (CR S8151-8152)
- **Dec 1, 2011:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (text of measure as introduced: CR S8152-8155)