

S 474

Small Business Regulatory Freedom Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Government Operations and Politics

Introduced: Mar 3, 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 S1225-1228) (Mar 3, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/474>

Sponsor

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

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

Cosponsors (12 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Ayotte, Kelly [R-NH]	R · NH		Mar 3, 2011
Sen. Brown, Scott P. [R-MA]	R · MA		Mar 3, 2011
Sen. Coburn, Tom [R-OK]	R · OK		Mar 3, 2011
Sen. Enzi, Michael B. [R-WY]	R · WY		Mar 3, 2011
Sen. Barrasso, John [R-WY]	R · WY		Mar 8, 2011
Sen. Rubio, Marco [R-FL]	R · FL		Mar 8, 2011
Sen. Thune, John [R-SD]	R · SD		Mar 9, 2011
Sen. Roberts, Pat [R-KS]	R · KS		Mar 17, 2011
Sen. Hutchison, Kay Bailey [R-TX]	R · TX		Mar 28, 2011
Sen. Isakson, Johnny [R-GA]	R · GA		Mar 31, 2011
Sen. Kirk, Mark Steven [R-IL]	R · IL		Mar 31, 2011
Sen. Moran, Jerry [R-KS]	R · KS		Apr 5, 2011

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred To	Mar 3, 2011

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
112 S 3572	Related bill	Sep 19, 2012: Read twice and referred to the Committee on Finance.
112 S 2199	Related bill	Mar 15, 2012: Read twice and referred to the Committee on Finance.
112 HR 3400	Related bill	Nov 29, 2011: Referred to the Subcommittee on Energy and Mineral Resources.
112 S 1720	Related bill	Oct 18, 2011: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 203.
112 S 1030	Related bill	Jul 20, 2011: Committee on Homeland Security and Governmental Affairs. Hearings held. Hearings printed: S.Hrg. 112-220.

Summary (as of Mar 3, 2011)

Small Business Regulatory Freedom Act of 2011 - Amends the Regulatory Flexibility Act (RFA) to revise the regulatory process (rulemaking) with respect to small entities (i.e., small businesses, small organizations, and small governmental jurisdictions).

Defines "economic impact" with respect to a proposed or final rule to mean: (1) any direct economic effect of a rule on small entities, and (2) any indirect economic effect on such entities, including potential job creation or job loss.

Expands judicial review of agency rulemaking to permit small entities to seek judicial review of initial regulatory flexibility analyses and to obtain an injunction of a proposed rule that is noncompliant with RFA requirements.

Requires each agency to establish a plan for the periodic review (every eight years) of: (1) its rules that have a significant adverse economic impact on small entities, and (2) any small entity compliance guide required to be published by an agency. Sets forth criteria for review of a rule, including the continued need for the rule, the complexity of the rule, and the impact of the rule on small entities. Terminates any rule if the issuing agency has failed to complete a required periodic review.

Expands to all agencies the procedures for gathering comments on rules that will have a significant economic impact on small entities.

Extends RFA requirements to informal agency guidance documents.

Amends the Small Business Regulatory Enforcement Fairness Act of 1996 to require each agency to review on a periodic basis its policies or programs for imposing regulatory penalties on small entities.

Imposes certain additional requirements on agencies prior to the issuance of a final rule, including requirements for: (1) publication of an initial regulatory flexibility analysis, (2) a determination of the average cost of a rule for affected small entities and the number of small entities affected or reasonably presumed to be affected, and (3) consultation with the Chief Counsel for Advocacy for the Small Business Administration (SBA). Requires the Chief Counsel for Advocacy of the SBA to be an attorney with business experience and expertise in or knowledge of the regulatory process.

Actions Timeline

- **Mar 3, 2011:** Introduced in Senate
- **Mar 3, 2011:** Sponsor introductory remarks on measure. (CR S1224-1225)
- **Mar 3, 2011:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (text of measure as introduced: CR S1225-1228)