

HR 33

Small Business Regulatory Flexibility Improvements Act of 2017

Congress: 115 (2017–2019, Ended)

Chamber: House

Policy Area: Government Operations and Politics

Introduced: Jan 3, 2017

Current Status: Committee on Small Business and Entrepreneurship. Hearings held. Hearings printed: S.Hrg. 115-21.

Latest Action: Committee on Small Business and Entrepreneurship. Hearings held. Hearings printed: S.Hrg. 115-21.
(Mar 29, 2017)

Official Text: <https://www.congress.gov/bill/115th-congress/house-bill/33>

Sponsor

Name: Rep. Chabot, Steve [R-OH-1]

Party: Republican • **State:** OH • **Chamber:** House

Cosponsors (16 total)

Cosponsor	Party / State	Role	Date Joined
Del. Radewagen, Aumua Amata Coleman [R-AS-At Large]	R · AS		Jan 3, 2017
Rep. Cuellar, Henry [D-TX-28]	D · TX		Jan 3, 2017
Rep. Curbelo, Carlos [R-FL-26]	R · FL		Jan 3, 2017
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Jan 3, 2017
Rep. Graves, Sam [R-MO-6]	R · MO		Jan 3, 2017
Rep. Hultgren, Randy [R-IL-14]	R · IL		Jan 3, 2017
Rep. Kelly, Trent [R-MS-1]	R · MS		Jan 3, 2017
Rep. King, Steve [R-IA-4]	R · IA		Jan 3, 2017
Rep. Knight, Stephen [R-CA-25]	R · CA		Jan 3, 2017
Rep. Luetkemeyer, Blaine [R-MO-3]	R · MO		Jan 3, 2017
Rep. Marino, Tom [R-PA-10]	R · PA		Jan 3, 2017
Rep. Sessions, Pete [R-TX-32]	R · TX		Jan 3, 2017
Rep. Tipton, Scott R. [R-CO-3]	R · CO		Jan 3, 2017
Rep. Love, Mia B. [R-UT-4]	R · UT		Jan 4, 2017
Rep. Stivers, Steve [R-OH-15]	R · OH		Feb 27, 2017
Rep. Smucker, Lloyd [R-PA-16]	R · PA		Jul 28, 2017

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Jan 12, 2017
Small Business and Entrepreneurship Committee	Senate	Hearings By (full committee)	Mar 29, 2017
Small Business Committee	House	Referred To	Jan 3, 2017

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
115 HR 6330	Related bill	Dec 17, 2018: Became Public Law No: 115-324.
115 S 584	Related bill	Dec 14, 2017: Placed on Senate Legislative Calendar under General Orders. Calendar No. 284.
115 HR 5	Related bill	Mar 29, 2017: Committee on Small Business and Entrepreneurship. Hearings held. Hearings printed: S.Hrg. 115-21.

Small Business Regulatory Flexibility Improvements Act of 2017

This bill modifies the rulemaking requirements and procedures of federal agencies (excluding Congress, U.S. courts, U.S. territories and possessions, and the District of Columbia) under the Regulatory Flexibility Act of 1980 (RFA) and the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA). The definition of "rule" under the RFA is expanded to include all agency rules, except for: (1) rules that pertain to the protection of the rights of and benefits for veterans or that impose limitations on the cost and terms of consumer credit extended to service members and their dependents, or (2) rules of particular (and not general) applicability relating to rates, wages, and other financial indicators. Under a new definition of "economic impact," agencies are required to consider any direct economic effect of a proposed rule on small entities and any indirect economic effect on small entities that is reasonably foreseeable and that results from such rule.

Under the bill, agencies are required to modify their rulemaking procedures to:

- include within initial and final regulatory flexibility analyses a detailed statement of information relating to a proposed rule;
- include in the agency regulatory flexibility agenda a description of the sector of the North American Industrial Classification System that is affected by a proposed agency rule that is likely to have a significant economic impact of a substantial number of small entities;
- require each initial regulatory flexibility analysis to contain detailed information about a proposed rule, including why agency action is being considered, the objectives and legal basis for the proposed rule, and an estimate of the number and types of small entities to which the proposed rule will apply;
- eliminate waivers or delays of an initial regulatory flexibility analysis;
- modify the procedures for participation of small entities in the promulgation of a proposed rule and the review panel advocacy process; and
- publish a plan for the periodic review of existing rules 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.

Judicial review of an agency final rule for compliance with RFA requirements is allowed after the publication of such rule, instead of after completion of the rulemaking process.

The Small Business Act is amended to authorize the Chief Counsel for Advocacy of the Small Business Administration (SBA) to make small business size-standard determinations for all purposes other than for the purposes of such Act or the Small Business Investment Act of 1958.

SBREFA is amended to require agencies, in preparing small entity compliance guides, to solicit input from affected small entities or associations of small entities.

The Government Accountability Office must complete and publish a study that examines whether the SBA Chief Counsel for Advocacy has the capacity and resources to carry out duties under this bill.

Actions Timeline

- **Mar 29, 2017:** Committee on Small Business and Entrepreneurship. Hearings held. Hearings printed: S.Hrg. 115-21.
- **Jan 12, 2017:** Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.
- **Jan 3, 2017:** Introduced in House
- **Jan 3, 2017:** Referred to the Committee on the Judiciary, and in addition to the Committee on Small Business, 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.