

S 1411

Prove It Act of 2023

**Congress:** 118 (2023–2025, Ended)

**Chamber:** Senate

**Policy Area:** Government Operations and Politics

**Introduced:** May 3, 2023

**Current Status:** Committee on Small Business and Entrepreneurship. Hearings held.

**Latest Action:** Committee on Small Business and Entrepreneurship. Hearings held. (Sep 18, 2024)

**Official Text:** <https://www.congress.gov/bill/118th-congress/senate-bill/1411>

Sponsor

**Name:** Sen. Ernst, Joni [R-IA]

**Party:** Republican • **State:** IA • **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                  | May 3, 2023  |
| Small Business and Entrepreneurship Committee        | Senate  | Hearings By (full committee) | Sep 18, 2024 |

Subjects & Policy Tags

**Policy Area:**

Government Operations and Politics

Related Bills

| Bill        | Relationship | Last Action                                 |
|-------------|--------------|---------------------------------------------|
| 118 HR 7198 | Related bill | <b>Dec 9, 2024:</b> Received in the Senate. |

## **Prove It Act of 2023**

This bill expands the requirements for federal agency rulemaking with respect to small businesses, organizations, and governmental jurisdictions.

Specifically, when conducting an initial regulatory flexibility analysis, agencies must include, where feasible, any reasonably foreseeable potential indirect costs the proposed rule may impose on such small entities.

Further, if an agency certifies that an initial regulatory flexibility analysis is not required because the rule will not have a significant economic impact on a substantial number of small entities, the agency must provide such certification within 10 days to the Office of Advocacy of the Small Business Administration. A small entity or group of small entities may petition the Office of Advocacy to review such certification. The petition must include specified information, such as the issues the petitioner believes should be addressed and a proposed solution to the issues raised.

If the Office of Advocacy ultimately determines, upon a full review of the petition, that the proposed rule would have a significant economic impact on a substantial number of small entities, the agency promulgating the rule must perform an initial and final regulatory flexibility analysis for the rule. Additionally, if the agency does not participate or assist in the full review process, the finalized rule shall not apply to small entities.

The bill also requires agencies to publish, and allow for comments on, all guidance documents with respect to any rule an agency determines is likely to have a significant economic impact on a substantial number of small entities.

## **Actions Timeline**

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- **Sep 18, 2024:** Committee on Small Business and Entrepreneurship. Hearings held.
- **Nov 1, 2023:** Committee on Small Business and Entrepreneurship. Hearings held.
- **Jul 26, 2023:** Committee on Small Business and Entrepreneurship. Hearings held. Hearings printed: S.Hrg. 118-90.
- **May 3, 2023:** Introduced in Senate
- **May 3, 2023:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

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