

NRS 233B.0608 Proposed permanent or temporary regulation: Determination of impact on small businesses; consultation with owners and officers of small businesses; analysis of likely impact on small business; consideration of methods to reduce impact on small businesses; preparation of small business impact statement; requirement to include impact statement in submission to Legislative Counsel Bureau.

1. Before conducting a workshop for a proposed regulation pursuant to [NRS 233B.061](#), an agency shall make a concerted effort to determine whether the proposed regulation is likely to:

- (a) Impose a direct and significant economic burden upon a small business; or
- (b) Directly restrict the formation, operation or expansion of a small business.

2. If an agency determines pursuant to subsection 1 that a proposed regulation is likely to impose a direct and significant economic burden upon a small business or directly restrict the formation, operation or expansion of a small business, the agency shall:

(a) Insofar as practicable, consult with owners and officers of small businesses that are likely to be affected by the proposed regulation.

(b) Conduct or cause to be conducted an analysis of the likely impact of the proposed regulation on small businesses. Insofar as practicable, the analysis must be conducted by the employee of the agency who is most knowledgeable about the subject of the proposed regulation and its likely impact on small businesses or by a consultant or other independent contractor who has such knowledge and is retained by the agency.

(c) Consider methods to reduce the impact of the proposed regulation on small businesses, including, without limitation:

- (1) Simplifying the proposed regulation;
- (2) Establishing different standards of compliance for a small business; and
- (3) Modifying a fee or fine set forth in the regulation so that a small business is authorized to pay a lower fee or fine.

(d) Prepare a small business impact statement and make copies of the statement available to the public not less than 15 days before the workshop conducted and the public hearing held pursuant to [NRS 233B.061](#). A copy of the statement must accompany the notice required by subsection 2 of [NRS 233B.061](#) and the agenda for the public hearing held pursuant to that section.

3. The agency shall prepare a statement identifying the methods used by the agency in determining the impact of a proposed regulation on a small business and the reasons for the conclusions of the agency. The director, executive head or other person who is responsible for the agency shall sign the statement certifying that, to the best of his or her knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small businesses and that the information contained in the statement is accurate.

4. Each adopted regulation which is submitted to the Legislative Counsel pursuant to [NRS 233B.067](#) must be accompanied by a copy of the small business impact statement and the statement made pursuant to subsection 3. If the agency revises a regulation after preparing the small business impact statement and the statement made pursuant to subsection 3, the agency must include an explanation of the revision and the effect of the change on small businesses.

This Analysis was conducted by the state employee with the most understanding of the potential impact to small businesses and applies to all regulations below.

Bond Regulations (VI-A)

Determination of potential impact:

The proposed regulation, which implements statutory authority to allow for electronic delivery of certain communications to employers, is not expected to impose any burden on any business in Nevada, nor would it directly restrict the formation, operation, or expansion of any business in the state. This regulation allows for more rapid notice to employers of activity related to their unemployment insurance account, enabling more rapid response and avoiding excess charges. This helps to minimize costs to employers by enabling more timely receipt of data to reduce improper payment of benefits.

Bond Regulations (VI-B)

Determination of potential impact:

The proposed regulation, which removes the defunct business start-up program for seniors and Veterans is being removed and no revisions will be pursued at this time. The removal of this regulation is not expected to impose any burden on any business in Nevada.

Bond Regulations (VI-C)

Determination of potential impact:

The proposed regulation, which removes unnecessary regulations related to the collection of unemployment insurance special bond contributions used from 2014-2017, is not expected to impose any burden on any business in Nevada, nor would it directly restrict the formation, operation, or expansion of any business in the state. These special bond contributions are no longer being assessed or collected, and in the event that future special bond contributions were to become necessary, removing this regulation now will ensure that any future process to collect such contributions would be subject to small business impact review at the time those regulations are under consideration, allowing them to be more responsive to the needs of that time.

Data Release (VI-D)

Determination of potential impact:

The proposed regulation, which eliminates NAC 612.056, is a conforming change to ensure that the regulation is in compliance with statute, NRS 612.265. As this regulation is in conflict with statute and cannot be enforced, its removal is not expected to impose any burden on any business in Nevada, nor would it directly restrict the formation, operation, or expansion of any business in the state.

Alcoholic Beverage Awareness Program (VI-E)

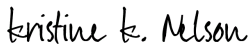
Determination of potential impact:

The proposed regulation removes NAC 394.700 to NAC 394.730 to comply with statutory authority. As this regulation is in conflict with statute and cannot be enforced, its removal is not expected to impose any burden on any business in Nevada, nor would it directly restrict the formation, operation, or expansion of any business in the state.

Administrative Approval of Advertising (VI-F)

Determination of potential impact:

The proposed regulation removes NAC 394.600 to reduce the burden placed on licensed institutions. The existing regulation requires licensed institutions, which may be small businesses, to gain approval of the Administrator for certain advertising. The removal of this regulation will allow such institutions to operate more freely, while removing potential barriers to operations. As this regulation imposes barriers to operations at certain small businesses, its removal is not expected to impose any burden on any business in Nevada, nor would it directly restrict the formation, operation, or expansion of any business in the state.

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Kristine Nelson
ESD Administrator