**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](https://www.leg.state.nv.us/nrs/nrs-233b.html#NRS233BSec061), 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](https://www.leg.state.nv.us/nrs/nrs-233b.html#NRS233BSec061). A copy of the statement must accompany the notice required by subsection 2 of [NRS 233B.061](https://www.leg.state.nv.us/nrs/nrs-233b.html#NRS233BSec061) 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](https://www.leg.state.nv.us/nrs/nrs-233b.html#NRS233BSec067) 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.

**Work Search Waiver** (Agenda Item V)

Determination of potential impact:

The proposed regulation implements statutory authority that defines the eligibility of certain persons with registering for work (NAC 612.094-612.095), clarifies the mechanisms for persons to be deemed registered for work at the Division (NAC 612.170), and defines what it means when a person fails to register and apply for suitable work (NAC 612.170A) for unemployment insurance (UI) claimants in Nevada.

These regulations impact individuals filing for unemployment benefits, and do not directly affect businesses. Businesses could indirectly experience increased work search activity on the part of UI claimants, to the potential benefit of employers. These regulation amendments provide clarity and define specifics to how Nevadans register for work and the mechanisms to do such in Nevada to ensure they take the proper steps necessary for UI benefits eligibility.

Therefore, these amendments are not expected to impose any burden on any large or small business in Nevada, nor would they directly restrict the formation, operation, or expansion of any business in the state.