
**State Government, Elections &
Information Technology Committee**

HB 1352

Brief Description: Concerning licensing and regulatory requirements of small business owners.

Sponsors: Representatives Barkis, Chapman, J. Walsh, Shea, Koster, Wilcox, McCabe, Harmsworth, Cody, Tarleton, Kretz, Schmick, Short, Vick, Harris, Manweller, Smith, Stokesbary, MacEwen, Nealey, Condotta, Orcutt, Lytton, Springer, Kirby, Blake, Caldier, Jinkins, Taylor, Pike, Hayes, Muri, Holy, Haler, Steele, Kilduff and Tharinger.

Brief Summary of Bill

- Requires the Attorney General to conduct a review and submit a report regarding rights and protections for business owners selected for agency enforcement actions.
- Requires specified agencies to conduct a review and submit information to the Attorney General.

Hearing Date: 2/10/17

Staff: Megan Palchak (786-7105).

Background:

According to the State Auditor's 2013 inventory of regulations report, improvements are needed to: 1) streamline business rules, and 2) provide complete and usable information regarding current regulations. Some states, such as Virginia, have implemented task forces that include the Attorney General, to tackle regulatory reform. In Washington, the general powers and duties of the Attorney General (AG) include, but are not limited to, representing the state before the supreme court or court of appeals in all cases in which the state is interested. The AG institutes and prosecutes all actions and proceeding for, or for the use of the state, which may be necessary for state officers to execute their duties. The AG defends actions of state officers, consults with government officials, provides written opinions, enforces actions, and responds to legal questions.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill:

Specified agencies, such as the Department of Agriculture, Department of Ecology, and others, must review [agency] governing statutes, administrative rules, policy statements, guidance, and directives, to identify the current rights and protections afforded to small business owners selected for inspection, audit, or other agency enforcement. Agencies must provide the AG with specified materials for review no later than August 31, 2017. The AG must review the Administrative Procedure Act, related administrative rules, similar statutes, and case law to identify rights and protections afforded to small business owners selected for agency enforcement actions; b) compile and report findings by November 30, 2017; and c) provide agencies with copies of recommendations by October 30, 2017. Agencies provided with copies of recommendations from the AG may provide written comments regarding the recommendations by November 13, 2017. This Act expires December 31, 2017 and does not apply to criminal investigations or prosecutions.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.