

# SENATE BILL No. 141

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-4-35.

**Synopsis:** Small business council established. Establishes the small business council (council) to provide oversight and guidance to the office of small business and entrepreneurship (office). Designates the membership of the council. Specifies the duties of the council. Requires the office to report to the council and the council to meet at least twice each year to hear the office's reports. Requires the council to submit an annual report to the legislative council. Specifies that the office may not refuse to provide assistance or information to an individual or entity because of the individual's or entity's income or other compensation, credit history, credit score, employment history, or criminal history.

**Effective:** July 1, 2015.

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January 6, 2015, read first time and referred to Committee on Commerce & Technology.

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First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

## SENATE BILL No. 141

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 4-4-35-3, AS ADDED BY P.L.187-2014,  
2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2015]: Sec. 3. The office of small business and  
4 entrepreneurship is established. **The small business council**  
5 **established by section 3.5 of this chapter shall oversee and provide**  
6 **guidance to the office.**

7 SECTION 2. IC 4-4-35-3.5 IS ADDED TO THE INDIANA CODE  
8 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
9 1, 2015]: **Sec. 3.5. (a) The small business council is established to**  
10 **oversee and provide guidance to the general assembly and the**  
11 **office through encouraging the establishment and growth of small**  
12 **businesses in Indiana.**

13 **(b) The small business council consists of the following**  
14 **members:**

15 **(1) One (1) member designated by each of the following:**

16 **(A) The lieutenant governor.**



- 1           **(B) The secretary of state.**
- 2           **(C) The commissioner of the department of workforce**
- 3           **development.**
- 4           **(D) The commissioner of the department of labor.**
- 5           **(E) The commissioner of the department of state revenue.**
- 6           **(F) The commissioner of the department of local**
- 7           **government finance.**
- 8           **(G) The commissioner of the department of environmental**
- 9           **management.**
- 10          **(H) The commissioner of the Indiana department of**
- 11          **transportation.**
- 12          **(2) The small business ombudsman designated under section**
- 13          **8 of this chapter.**
- 14          **(3) A member designated by Purdue University who must be**
- 15          **an individual regularly engaged in technology assistance**
- 16          **programs that provide university based small business**
- 17          **assistance.**
- 18          **(c) A majority of the entire membership of the council**
- 19          **constitutes a quorum. An action of the council is not valid unless**
- 20          **approved by at least a majority of the members, including**
- 21          **approving the final report.**
- 22          **(d) A member of the small business council is not entitled to any**
- 23          **per diem for carrying out the duties of the council. However, a**
- 24          **member of the small business council is entitled to reimbursement**
- 25          **for any traveling expenses as provided under IC 4-13-1-4 and other**
- 26          **expenses actually incurred in connection with the member's duties**
- 27          **as provided in the state policies and procedures established by the**
- 28          **Indiana department of administration and approved by the budget**
- 29          **agency.**
- 30          **(e) The small business council must meet at least two (2) times**
- 31          **each year before September 1. The council shall accept reports and**
- 32          **information from the office at each meeting. At each meeting, the**
- 33          **office shall provide reports and information to the council on the**
- 34          **following:**
- 35               **(1) The state's efforts in encouraging the establishment and**
- 36               **growth of small businesses.**
- 37               **(2) How the office acts as a liaison and fosters cooperation**
- 38               **among small businesses and state, regional, and local**
- 39               **economic development officials.**
- 40               **(3) The methods by which small businesses interact with the**
- 41               **state and how these interactions may be streamlined,**
- 42               **especially with respect to how state government entities are**



working together to streamline permitting and licensing processes and provide regulatory approvals.

(4) Promotion of tax incentives, grants, loans, and loan guarantees designed to:

(A) encourage the establishment of small businesses; or

(B) assist small businesses that are expanding operations, relocating operations to Indiana, or hiring or training new employees.

(5) Programs that assist small businesses to access capital and other private and public resources for financing expansion, job creation, and job retention.

(6) Programs that assist small businesses in determining availability and cost information concerning work sites, workforce training, and infrastructure.

(7) Programs that assist small businesses in identifying state procurement opportunities and other state initiatives that support small businesses.

(8) Programs that encourage collaboration among institutions of higher education, research institutions, certified technology parks, small business incubators, units of local government, venture capitalists, and economic development professionals and organizations to promote the growth of small businesses in Indiana.

(f) The small business council shall, before November 1 of each year, submit a report to the legislative council:

(1) detailing the council's activities under this chapter during the preceding state fiscal year; and

(2) recommending any legislation that the council considers useful in coordinating and streamlining the efforts of state government to assist and encourage the growth of small businesses in Indiana.

The annual report submitted under this subsection must be in an electronic format under IC 5-14-6.

SECTION 3. IC 4-4-35-5, AS ADDED BY P.L.187-2014, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. The office shall do the following:

(1) Operate the Indiana small business development center.

(2) Maintain, through the small business development centers, a statewide network of public, private, and educational resources to, among other things, inform small businesses of the state and federal programs under which small businesses may obtain financial assistance or realize reduced costs through programs



1 such as the small employer health insurance pooling program  
 2 under IC 27-8-5-16(8).

3 (3) Employ a small business ombudsman.

4 (4) Support the development of small business in Indiana through  
 5 the Indiana small business development center.

6 (5) Administer the young entrepreneurs program under IC 4-4-36.

7 (6) Develop and administer programs to support the growth of  
 8 small businesses.

9 **(7) Provide reports and information to the small business**  
 10 **council as required by section 3.5 of this chapter.**

11 SECTION 4. IC 4-4-35-6, AS ADDED BY P.L.187-2014,  
 12 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2015]: Sec. 6. The office may operate a small business  
 14 assistance center to provide small businesses, including minority  
 15 owned businesses and businesses owned by women, with access to  
 16 managerial and technical expertise and to provide assistance in  
 17 resolving problems encountered by small businesses. **The office may**  
 18 **not refuse to provide assistance or information under this chapter**  
 19 **to an individual or entity because of the:**

20 **(1) income or other compensation;**

21 **(2) credit history or credit score;**

22 **(3) employment history; or**

23 **(4) criminal history;**

24 **of the individual or entity.**

