

Small Business Regulatory Fairness Board Small Business Impact Statement

Date: February 29, 2016

Rule Number: 20 CSR 2030-6.015 Application, Renewal, Reinstatement, Relicensure, and Miscellaneous Fees

Name of Agency Preparing Statement: DIFP, Professional Registration, Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects

Name of Person Preparing Statement: Judy Kempker

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Name of Person Approving Statement: Kathleen Steele Danner

Please describe the methods your agency considered or used to reduce the impact on small businesses (examples: consolidation, simplification, differing compliance, differing reporting requirements, less stringent deadlines, performance rather than design standards, exemption, or any other mitigating technique).

The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects (APELSPLA) is statutorily obligated to enforce and administer the provisions of sections 327.011 – 327.635, RSMo. Pursuant to section 327.431, RSMo the board shall set the amount of the fees at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter. According to section 327.081.2, RSMo, money in the APELSPLA fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the board's funds for the preceding fiscal year or, if the board requires by rule renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year.

The board's current fund balance is more than three times the amount of the board's appropriation; and, based on our five year projections, the board's fund is reasonably expected to exceed an amount that would require transfer from that fund to General Revenue. The board is proposing to decrease the corporate renewal fee. This fee reduction is needed in order to avoid a sweep of the board's funds into General Revenue as stated in section 327.081, RSMo.

Please explain how your agency has involved small businesses in the development of the proposed rule.

This proposed amendment was discussed at the board's open April 20, 2015 quarterly meeting. The proposed amendment has also been published on the board's website soliciting comment. The board members (especially those who are small business owners) considered the impact that the proposed amendment would have on small businesses and determined that there would be a sizeable cost savings to all small business owners practicing the professions regulated by chapter 327, RSMo. Everyone present at the meeting was in support of this proposed amendment.

Please list the probable monetary costs and benefits to your agency and any other agencies affected. Please include the estimated total amount your agency expects to collect from additionally imposed fees and how the moneys will be used.

This amendment will allow the board to collect the reduced fee for corporate renewal. A fiscal note will be filed in accordance with section 536.200, RSMo.

Please describe small businesses that will be required to comply with the proposed rule and how they may be adversely affected.

Licensees who have a Corporate Certificate of Authority and all of those who someday plan to apply for one.

Please list direct and indirect costs (in dollars amounts) associated with compliance.

Currently, the corporate licensees pay \$100 for a biennial renewal. This amendment reduces that fee by \$50. A fiscal note will be filed in accordance with section 536.205, RSMo.

Please list types of business that will be directly affected by, bear the cost of, or directly benefit from the proposed rule.

Licensees who have corporate licenses or plan to obtain one will benefit from the reduced fee.

Does the proposed rule include provisions that are more stringent than those mandated by comparable or related federal, state, or county standards?

No

If yes, please explain the reason for imposing a more stringent standard.

For further guidance in the completion of this statement, please see §536.300, RSMo.