



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3102

by Rep. Terra Costa Howard

SYNOPSIS AS INTRODUCED:

New Act

Creates the Small Business Advocate Act. Creates the four independent Offices of the Executive Small Business Advocate for the Attorney General, the Secretary of State, the Comptroller, and the Treasurer. Provides that every State agency consisting of 500 or more employees shall establish an independent Office of the Small Business Advocate. Provides that each Office shall be under the direction and supervision of an Executive Small Business Advocate or a Small Business Advocate, and shall be a fully independent Office with separate appropriations. Provides for the appointment and duties of Executive Small Business Advocates and Small Business Advocates. Provides that each Office shall assist small businesses in understanding and complying with State requirements, as well as facilitating interactions between small businesses and State government. Provides for the adoption of rules. Provides that beginning January 1, 2021, and for each year thereafter, each Office of the Executive Small Business Advocate and each Office of the Small Business Advocate shall submit a report to the Governor and the General Assembly detailing specified items. Defines Terms. Effective January 1, 2020.

LRB101 08971 RJF 54063 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Small
5 Business Advocate Act.

6 Section 5. Definitions. As used in this Act:

7 "Executive branch constitutional officer" means the
8 Attorney General, the Secretary of State, the Comptroller, and
9 the Treasurer.

10 "Office" means an Office of the Executive Small Business
11 Advocate established under Section 10 or an Office of the Small
12 Business Advocate established under Section 15.

13 "Small businesses" means a corporation or a concern,
14 including its affiliates, that is independently owned and
15 operated, not dominant in its field, and employs fewer than 50
16 full-time employees or has gross annual sales of less than
17 \$4,000,000.

18 "State agency" means agencies created by the Illinois
19 Constitution, whether in the executive, legislative, or
20 judicial branch, but not including the Office of the Governor,
21 the Office of the Lieutenant Governor, or any other executive
22 branch constitutional officer.

1 Section 10. Executive Small Business Advocates.

2 (a) Four independent Offices of the Executive Small
3 Business Advocate are created, one each for the Attorney
4 General, the Secretary of State, the Comptroller, and the
5 Treasurer. Each Office shall be under the direction and
6 supervision of an Executive Small Business Advocate, and shall
7 be a fully independent Office with separate appropriations. The
8 Attorney General, Secretary of State, Comptroller, and
9 Treasurer shall each appoint an Executive Small Business
10 Advocate without regard to political affiliation and solely on
11 the basis of integrity and demonstrated ability. Each Executive
12 Small Business Advocate shall serve until a successor is
13 appointed and qualified. Each Executive Small Business
14 Advocate shall employ and appoint personnel necessary to
15 perform the functions and duties of the Offices of the
16 Executive Small Business Advocate.

17 (b) Each Executive Small Business Advocate appointed under
18 this Section shall be a person who by reason of training,
19 experience, and attainment is qualified to represent the
20 interests of small businesses in this State. In addition to
21 overseeing the operations and duties of the Office, each
22 Executive Small Business Advocate shall represent the
23 interests of small businesses by: (1) testifying on legislation
24 that would affect small businesses; (2) commenting on rules
25 that would affect small businesses; (3) identifying statutes
26 that would place an unnecessary burden on small businesses; and

1 (4) any other action the Executive Small Business Advocate may
2 deem necessary to carry out his or her responsibility to
3 represent the interests of small businesses under this Act.

4 (c) Each Office of the Executive Small Business Advocate
5 shall work directly with small businesses that have specific
6 business, issues, or concerns with the executive branch
7 constitutional office in which the Office is established. Each
8 Office shall assist small businesses in understanding and
9 complying with State requirements, as well as facilitating
10 interactions between small businesses and the executive branch
11 constitutional office for which the Office is established.

12 (d) Each Executive Small Business Advocate appointed under
13 this Section may adopt rules necessary to implement and perform
14 the functions and duties of his or her Office under this
15 Section.

16 Section 15. State agency Small Business Advocates.

17 (a) Every State agency consisting of 500 or more employees
18 shall establish an independent Office of the Small Business
19 Advocate. Each Office shall be under the direction and
20 supervision of a Small Business Advocate, and shall be a fully
21 independent Office with separate appropriations. Each head of a
22 State agency subject to this subsection (a) shall appoint a
23 Small Business Advocate without regard to political
24 affiliation and solely on the basis of integrity and
25 demonstrated ability. Each Small Business Advocate shall serve

1 until a successor is appointed and qualified. Each Small
2 Business Advocate shall employ and appoint personnel necessary
3 to perform the functions and duties of the Office of the Small
4 Business Advocate.

5 (b) Each Small Business Advocate appointed under this
6 Section shall be a person who by reason of training,
7 experience, and attainment is qualified to represent the
8 interests of small businesses in this State. In addition to
9 overseeing the operations and duties of the Office, each Small
10 Business Advocate shall represent the interests of small
11 businesses by: (1) testifying on legislation that would affect
12 small businesses; (2) commenting on rules that would affect
13 small businesses; (3) identifying statutes that would place an
14 unnecessary burden on small businesses; and (4) any other
15 action the Small Business Advocate may deem necessary to carry
16 out his or her responsibility to represent the interests of
17 small businesses under this Act.

18 (c) Each Office of the Small Business Advocate shall work
19 directly with small businesses that have specific business,
20 issues, or concerns with the State agency in which the Office
21 is established. Each Office shall assist small businesses in
22 understanding and complying with State requirements, as well as
23 facilitating interactions between small businesses and the
24 State agency in which the Office is established.

25 (d) Each Small Business Advocate appointed under this
26 Section may adopt rules necessary to implement and perform the

1 functions and duties of his or her Office under this Section.

2 Section 20. Reports. Beginning January 1, 2021, and for
3 each year thereafter, each Office of the Executive Small
4 Business Advocate and each Office of the Small Business
5 Advocate established under this Act shall submit a report to
6 the Governor and the General Assembly detailing: (1) the
7 operations of each Office; (2) recommendations each Office may
8 have concerning the interests of small businesses and improving
9 interactions between smalls businesses and State government;
10 and (3) any other information an Executive Small Business
11 Advocate or a Small Business Advocate may deem necessary
12 concerning the Office.

13 Section 99. Effective date. This Act takes effect January
14 1, 2020.