

AB 393 (Cooley) – Office of Business and economic Development: Internet Web Site

Introduced February 15, 2013, Chaptered August 19, 2013

This bill requires the Director of the Governor's Office of Business and Economic Development (GO-Biz) to ensure that Go-Biz's Internet Web site contains information on the fee requirements and fee schedules of state agencies.

Existing law:

1. Establishes GO-Biz for the purpose of serving as the lead state entity for economic strategy and marketing of California on issues relating to business development, private sector investment and economic growth. GO-Biz also serves as the administrative oversight for the California Business Investment Service and the Office of the Small Business Advocate.
2. Provides that the Governor shall ensure the GO-Biz Internet Web site is user friendly and provides accurate, updated information. Requires each state agency the Governor determines has licensing authority to provide accurate updated information about its licensing requirements. States that a state agency shall not use the GO-Biz Internet Web site as the exclusive source of information for the public to access licensing requirements for that agency. Authorizes the Governor or his/her designee to impose a reasonable fee, not to exceed the actual cost to provide the service, as a condition of accessing information on the GO-Biz Internet Web site. Requires the Director of GO-Biz to ensure that Go-Biz's Internet Web site contains specified information on the licensing, permitting, and registration requirements of state agencies.
3. Authorizes GO-Biz to coordinate the development of policies and criteria to ensure that federal grants administered or directly expended by state government advance statewide economic goals and objectives. Authorizes GO-Biz to market the business and investment opportunities available in California by working in partnership with local, regional, federal, and other state public and private institutions to encourage business development and investment in the state. Authorizes GO-Biz to support small businesses by providing information about accessing capital, complying with regulations, and supporting state initiatives that support small business.
4. Makes legislative findings and declarations that it is in the public interest to aid, counsel, assist, and protect the interests of small business concerns in order to preserve free competitive enterprise and maintain a healthy state economy. Establishes the Office of Small Business Advocate (OSBA) within GO-Biz in order to advocate the causes of small business and to provide small businesses with the information they need to survive in the marketplace.
5. Requires OSBA to prepare and submit a written annual report to the Governor and to the Legislature that describes the activities and recommendations of OSBA, including an evaluation of the efforts of state agencies and, where appropriate, specific departments, that significantly regulate small businesses to assist minority

and other small business enterprises, and making recommendations that may be appropriate to assist the development and strengthening of minority and other small business enterprises.

This bill:

1. Makes technical and clarifying changes.
2. States legislative findings and declarations that:
 - A. Small business is a cornerstone of California's economy.
 - B. There are approximately 3.5 million small businesses in California and they account for 99% of the state's employers.
 - C. Nationwide, approximately one-half of all new small businesses survive five years or more and only one-third survive longer than 10 years.
3. Requires the GO-Biz Internet Web site to provide a direct link of all state licensing, permitting, and registration applications, forms, or other similar documents, where made available for download, rather than a digital copy of the information as provided for under existing law.
4. Adds "permitting" or "registration" authority to the criteria by which a state agency is determined to be required to post information on the GO-Biz Internet Web site.

Background:

According to the author, "Small business is a cornerstone of California's diverse and vibrant economy, accounting for over 99% of the state's employers and roughly 50% of California's private-sector employment. Because small businesses often operate under limited time and resources, removing unnecessary obstacles from their path to success is essential." The author adds, that while GO-Biz recently streamlined the application process for starting a business in California by making the permits, licenses and registration requirements easily accessible online, small businesses that are responsible for paying a variety of fees to numerous agencies throughout the year may be at a disadvantage because there is no centralized location providing them information about fees. The author believes that this creates an extra burden to small businesses and hinders their ability to focus on revenue growth and job creation.

Governor's Office of Business and Economic Development:

GO-Biz was created by Governor Edmund G. Brown Jr. in 2011 to serve as California's single point of contact for economic development and job creation efforts. The GO-Biz offers a range of services to business owners including: attraction, retention and expansion services, site election, permit streamlining, clearing of regulatory hurdles, small business assistance, international trade development, assistance with state government, and much more.

Assembly Bill No. 393

CHAPTER 124

An act to amend Section 12019.5 of the Government Code, relating to state government.

[Approved by Governor August 19, 2013. Filed with Secretary of State August 19, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

AB 393, Cooley. Office of Business and Economic Development: Internet Web site.

Existing law requires the Director of the Governor's Office of Business and Economic Development to ensure that the office's Internet Web site contains information to assist an individual with the licensing, permitting, and registration requirements necessary to start a business. Existing law also requires a state agency that the Governor determines has licensing authority to provide accurate updated information about its licensing requirements, as provided. Existing law also authorizes the Governor to impose a reasonable fee, not to exceed the actual cost to provide the service, upon users of the Internet Web site.

This bill would require the Director of the Governor's Office of Business and Economic Development to ensure that the office's Internet Web site contains information on the fee requirements and fee schedules of state agencies and would also require a state agency that has licensing, permitting, or registration authority to provide accurate updated information about its fee schedule to the Governor's Office of Business and Economic Development, as provided. This bill, with regard to the imposition of a reasonable fee upon users of the Internet Web site, would instead authorize the Governor's Office of Business and Economic Development to impose that fee.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

- (a) Small business is a cornerstone of California's economy.
- (b) There are approximately 3.5 million small businesses in California and they account for 99 percent of the state's employers.
- (c) Nationwide, approximately one-half of all new small businesses survive five years or more and only one-third survive longer than 10 years.

SEC. 2. Section 12019.5 of the Government Code is amended to read:

12019.5. (a) The Director of the Governor's Office of Business and Economic Development shall ensure that the office's Internet Web site

contains information on the licensing, permitting, and registration requirements of state agencies, and shall include, but not be limited to, information that does all of the following:

(1) Assists individuals with identifying the type of applications, forms, or other similar documents an applicant may need.

(2) Provides a direct link to a digital copy of all state licensing, permitting, and registration applications, forms, or other similar documents where made available for download.

(3) Instructs individuals on how and where to submit applications, forms, or other similar documents.

(b) The Director of the Governor's Office of Business and Economic Development shall ensure that the office's Internet Web site contains information on the fee requirements and fee schedules of state agencies, and shall include, but not be limited to, information that does all of the following:

(1) Assists individuals with identifying the types of fees and their due dates.

(2) Provides direct links to the fee requirements and fee schedules for all state agencies, where made available for download.

(3) Instructs individuals on how and where to submit payments.

(c) The Governor's Office of Business and Economic Development shall ensure that the Internet Web site is user-friendly and provides accurate, updated information.

(d) (1) Each state agency that has licensing, permitting, or registration authority shall provide direct links to information about its licensing, permitting, and registration requirements and fee schedule to the Governor's Office of Business and Economic Development.

(2) A state agency shall not use the Internet Web site established under this section as the exclusive source of information for the public to access licensing requirements and fees for that agency.

(e) The Governor's Office of Business and Economic Development may impose a reasonable fee, not to exceed the actual cost to provide the service, as a condition of accessing information on the Internet Web site established under subdivisions (a) and (b).