

Overview of the Office of Small Business Advocate

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Office of Small Business Advocate

Introduction to the Office

- ❑ History of the Small Business Advocate
 - ❑ In 2010, the TN General Assembly created the Office of Small Business Advocate.
 - ❑ Lt. Gov. Ron Ramsey and then-House Republican Leader Jason Mumpower sponsored the legislation.
 - ❑ Senate Bill 3484
 - ❑ Tenn. Code Ann. § 8-4-701 et seq.

Office of Small Business Advocate

Introduction to the Office

- ❑ Created to improve small businesses interactions with state government.
- ❑ Designed a unique office structure.
- ❑ Administratively attached to the Comptroller of the Treasury.
- ❑ Provides an independent check on the state's efforts to regulate small business in Tennessee.



Office of Small Business Advocate

Role of the Advocate

- ❑ Mission Statement: The mission of the Comptroller's office is to improve the quality of life for all Tennesseans by making government work better.
- ❑ As the Small Business Advocate, my mission is to make government work for Tennessee's small businesses.

Office of Small Business Advocate

Role of the Advocate

- ❑ What is working better for small businesses?
 - ❑ Make state government more responsive to small business owners by:
 - ❑ Encouraging polite, easy to understand, customer-focused interactions.
 - ❑ Ensuring regulatory information is available.
 - ❑ Making regulatory compliance possible in the least burdensome way.

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Definition of Small Business

- ❑ What is a “small business?”
 - ❑ The law defines a small business as “a business entity, including its affiliates, that employs **fifty (50) or fewer** full-time employees.” *Tenn. Code Ann. § 8-4-701.*

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Structure of the Office

- ❑ Looking at issues from a micro as well as macro perspectives.
- ❑ Network of contacts in each agency that reports regulatory authority over business (over 30 agencies).
- ❑ Reporting mechanism

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Agency Contacts

Tennessee Department of Agriculture
Tennessee Department of Children's Services
Tennessee Department of Commerce and Insurance
Tennessee Department of Correction
Tennessee Department of Economic and Community Development
Tennessee Department of Education
Tennessee Department of Environment and Conservation
Tennessee Department of Financial Institutions
Tennessee Department of General Services
Tennessee Department of Health
Tennessee Department of Human Services
Tennessee Department of Intellectual and Developmental Disabilities
Tennessee Department of Labor and Workforce Development
Tennessee Department of Mental Health
Tennessee Department of Military

Tennessee Department of Revenue
Tennessee Department of Safety & Homeland Security
Tennessee Department of State
Tennessee Department of Tourist Development
Tennessee Department of Transportation
Tennessee Department of Treasury
Tennessee Department of Veterans' Affairs
Bureau of TennCare
Tennessee Alcoholic Beverage Commission
Tennessee Board of Probation and Parole
Tennessee Human Rights Commission
Tennessee Education Lottery Corporation
Tennessee Health Services and Development Agency
Tennessee Higher Education Commission
Tennessee Regulatory Authority
Tennessee Student Assistance Corporation
Tennessee Wildlife Resources Agency
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Office of Small Business Advocate

Assisting With Issues From The Micro Perspective

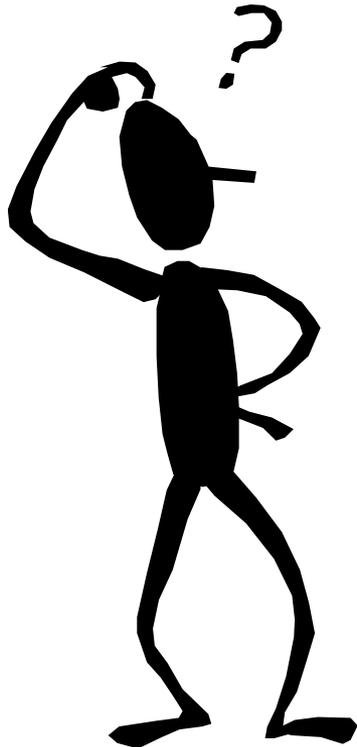


Office of Small Business Advocate Inquiry Procedure

- Small business owner contacts the Office.
- Contact each official agency contact.
- Formal v. informal process.
- Each inquiry is different:
 - Time required to resolve an issue, information provided to the department, and solution.

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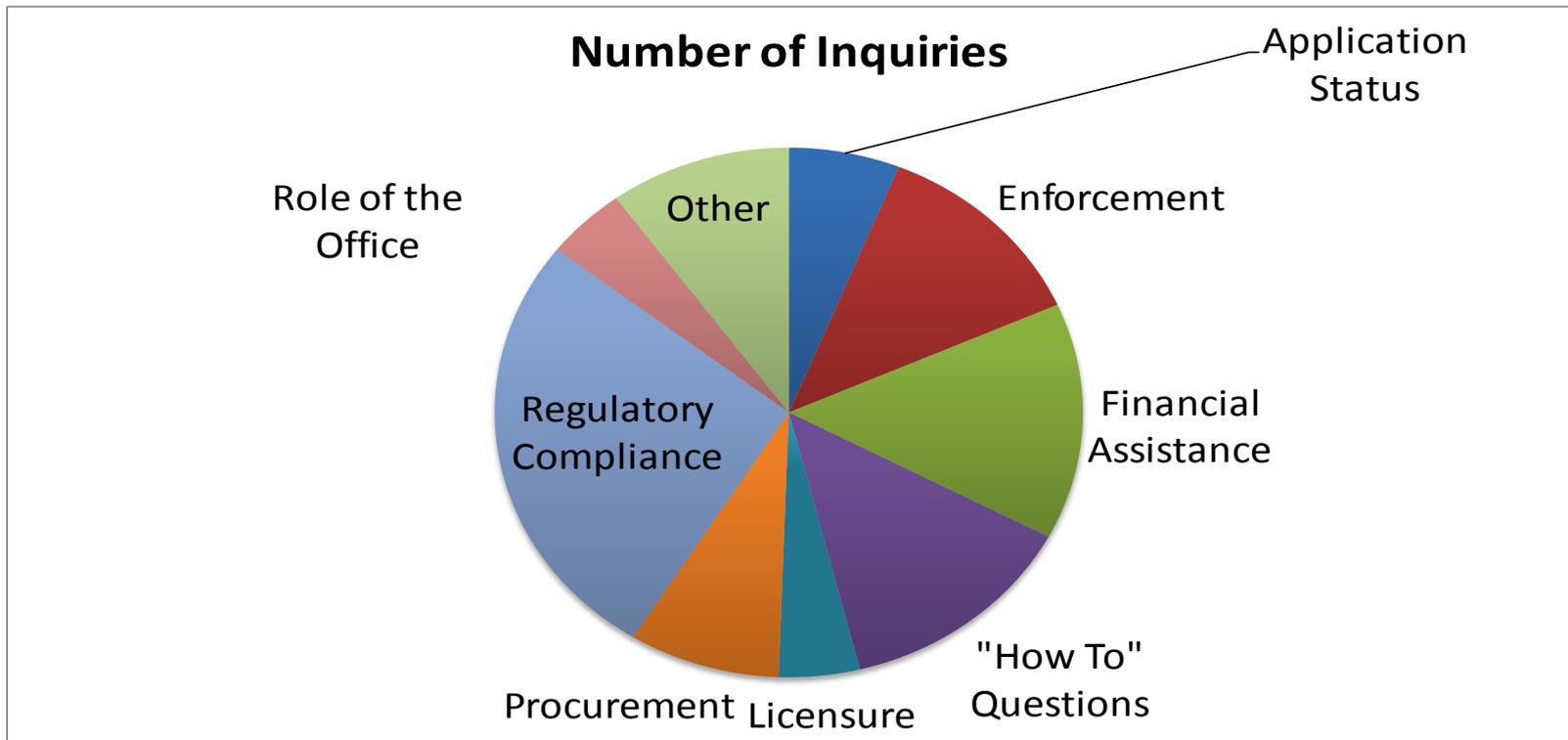
Frequent Inquiries



- Application Status
- Enforcement
- Financial Assistance
- “How To” Questions
- Licensure
- Other
- Regulatory Compliance



Office of Small Business Advocate Frequent Inquiries



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Frequent Inquiry Examples

Application Status:

- Filed X, Y days ago

Enforcement:

- Audit findings; Payment plan assistance

Financial Assistance:

- Specific types of business; Grants; Loans

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Frequent Inquiry Examples

- “How To” Questions:
 - General information; Doing business with the state; Getting started
- Licensure:
 - The process; Requirements for a particular licensure; Do I need one at all?
- Regulatory Compliance:
 - Unemployment rate; Sales tax collection; Closing a business
- Other:
 - Local issues; Other regulations

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Assisting with issues from the
macro perspective



Office of Small Business Advocate Annual Report to the General Assembly

- ❑ Filed each July 1 with the Governor, Speaker of both House and Senate, as well as Commerce Committees.
- ❑ 2013 report v. 2012 & 2011 report.
- ❑ Annual report regarding the “enforcement activities of department and agency personnel, including a rating of responsiveness to small business owners’ concerns.”

Office of Small Business Advocate 2013 Report to General Assembly

- ❑ Agency questionnaire sent January 14, 2013

- ❑ Goals:
 - ❑ To encourage polite, easy to understand, customer-focused actions when possible by an agency.

 - ❑ To ensure that small business owners have the information they need to comply with state regulation in the least burdensome way.

Office of Small Business Advocate 2013 Report to General Assembly

- The report will include outcomes of the newly implemented rating system.

- The rating system will consist of two categories:
 - Timeliness of Response
 - Agency Questionnaire

Office of Small Business Advocate 2013 Report to General Assembly

- Timeliness of Response:
 - Based on a star-rating system
 - 7 days or less = 5 stars
 - 8-14 days = 4 stars
 - 15-30 days = 1 Star

Office of Small Business Advocate Official Agency Questionnaire

- Answers will be included in annual report.
- Questions in the Agency Questionnaire:
 - Question 1: Does your agency have regulatory compliance assistance available for small business owners?
 - Question 2: Does your agency currently have any assistance programs, policies, or procedures in place that reflect your agency's commitment to small business owners' concerns?

Office of Small Business Advocate Official Agency Questionnaire

Question 3

- Does your agency currently conduct a regulatory flexibility analysis as required by Tenn. Code Ann. § 4-5-402 as part of the agency's rulemaking process to determine whether a proposed rule or rules affects small businesses?

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Official Agency Questionnaire

Question 4

- Does your agency currently prepare an economic impact statement as an addendum for each rule that is deemed to affect small businesses as required by Tenn. Code Ann. § 4-5-403?

Question 5

- Opportunity to provide any additional information or comment that would be helpful in determining your agency's responsiveness to small business owners' concerns.

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Goals for the Future

- Be a resource to individuals who own or hope to start a business in Tennessee.
- Be a resource to the General Assembly for small business issues.
- In short, make government work better.

Office of Small Business Advocate Contact Information

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Questions?