

## CHAPTER 75

( SB 8 )

AN ACT relating to a one-stop-shop to conduct business in the Commonwealth and declaring an emergency.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 14 IS CREATED TO READ AS FOLLOWS:

- (1) *The Secretary of State, Finance and Administration Cabinet, the Cabinet for Economic Development, and the Commonwealth Office of Technology shall jointly establish a one-stop electronic business portal that shall serve as a single, unified entry point for business owners to access and complete initial and ongoing state services and requirements in relation to the creation or ongoing operation of a business located in the Commonwealth of Kentucky. The agencies identified in this subsection shall coordinate, manage, and implement the portal based on the results of an assessment conducted by the One-Stop Business Portal Advisory Committee under subsection (3) of this section.*
- (2) *The One-Stop Business Portal Advisory Committee is hereby established to provide guidance in the creation and implementation of the one-stop business portal. The committee shall consist of the Secretary of State, the secretary of the Governor's Executive Cabinet, secretary of the Economic Development Cabinet or his or her designee, secretary of the Finance and Administration Cabinet or his or her designee, secretary of the Education and Workforce Cabinet or his or her designee, secretary of the Public Protection Cabinet or his or her designee, secretary of the Transportation Cabinet or his or her designee, secretary of the Tourism, Arts and Heritage Cabinet or his or her designee, and the secretary of the Energy and Environment Cabinet or his or her designee. The Governor may appoint other members to the committee at his or her discretion. The committee shall be co-chaired by the Secretary of State and the secretary of the Governor's Executive Cabinet.*
- (3) *The One-Stop Business Portal Advisory Committee shall prepare an assessment detailing recommendations for the creation, ongoing operation, and management of the one-stop business portal, to be presented to the Governor, the Secretary of State, and the Legislative Research Commission by December 31, 2011. This assessment shall include the following:*
  - (a) *An estimate of the costs for full implementation of the portal, including those associated with technology, maintenance, sharing agency data, information security, and other start-up costs;*
  - (b) *An estimate of the costs of establishing and maintaining a call center staffed with persons trained to answer questions and help businesses obtain information and services, along with a recommendation as to where the call center should be located and the number of staff necessary to operate it;*
  - (c) *Recommendations on the location, design, and functionality of the portal;*
  - (d) *Recommendations as to the roles of the state agencies identified in subsection (1) of this section regarding the day-to-day operational management of the portal;*
  - (e) *Recommendations on the time line for developing and testing the portal;*
  - (f) *Identification of any statutory or regulatory changes that need to be made to existing law to effectuate the portal's functionality;*
  - (g) *Identification of other state agencies that possess business-related functions and content so that those functions can be added to the portal;*
  - (h) *Identification of any impediments posed by federal law and recommended ways to address the impediment;*
  - (i) *A comprehensive analysis of the processes of all state agencies, with a view toward streamlining and reducing the paperwork necessary for businesses to interact with each agency; and*
  - (j) *Recommendations on the scope of services to be provided by the portal. At a minimum, services shall include:*
    1. *Application and renewal of business related licenses and fees incident to the start-up and operation of a business;*

2. *Electronic payment of taxes and related costs imposed by state law incident to the operation of a business;*
3. *Filing of documents and papers imposed by state law associated with the operation of a business; and*
4. *Creation of individual electronic accounts for each business which allows the business to monitor its filings, payments, and other business compliance activities.*

(4) *The One-Stop Business Portal Advisory Committee shall:*

- (a) *Ensure that the portal has a Web site, the ability to process new business registrations as handled by the Secretary of State's Office, and be in a testing phase for the Department of Revenue's tax registration application by December 31, 2012; and*
- (b) *Ensure that subsequent and additional online business applications maintained by the Commonwealth shall be evaluated and prioritized.*

➔Section 2. KRS 11.202 is amended to read as follows:

(1) The duties of the Commission on Small Business Advocacy shall include, but not be limited to:

- (a) Coordinate and promote the awareness of the Federal Small Business Regulatory Enforcement Fairness Act of 1996, and its subsequent amendments within the small business community of the Commonwealth;
- (b) Develop a process by which the small business community is made aware of state legislation and administrative regulations affecting it, both prior to its enactment and during its implementation;
- (c) Advocate for the small business sectors when state legislation and administrative regulations are overly burdensome, costly, or harmful to the success and growth of the sector;
- (d) Collect information and research those public policies and government practices which are helpful or detrimental to the success and growth of the small business community; and
- (e) Review administrative regulations that may impact small business. The commission may seek input from other agencies, organizations, or interested parties. In acting as an advocate for small business, the commission may submit a written report to the promulgating administrative body to be considered as comments received during the public comment period required by KRS 13A.270(1)(c). The report may specify the commission's findings regarding the administrative regulation, including an identification and estimate of the number of small businesses subject to the administrative regulation, the projected reporting, recordkeeping, and other administrative costs required for compliance with the administrative regulation, and any suggestions the commission has for reducing the regulatory burden on small businesses through the use of tiering or exemptions, in accordance with KRS 13A.210. A copy of the report shall be filed with the regulations compiler of the Legislative Research Commission.

(2) By September 1 of each year, the commission shall submit a report to the Governor and the Interim Joint Committee on Economic Development and Tourism detailing its work in the prior fiscal year, including, but not limited to the following:

- (a) Activities and achievements of the commission in accomplishing its purposes and duties;
- (b) Findings of the commission related to its collection of information and research on public policies and government practices affecting small businesses, including specific legislation and administrative regulations that are helpful or detrimental to the success of small businesses; and
- (c) Specific recommendations of ways state government could better promote the economic development efforts of small businesses in the Commonwealth.

(3) *Beginning December 1, 2012, and on every December 1 thereafter, the commission shall submit an annual report to the Secretary of State and the Legislative Research Commission setting forth an analysis of how the one-stop electronic business portal established in Section 1 of this Act may be improved to make the business portal more user friendly for businesses.*

➔Section 3. KRS 42.730 is amended to read as follows:

- (1) The executive director of the Commonwealth Office of Technology shall be the principal adviser to the Governor and the executive cabinet on information technology policy, including policy on the acquisition and management of information technology and resources.
- (2) The executive director shall carry out functions necessary for the efficient, effective, and economical administration of information technology and resources within the executive branch. Roles and duties of the executive director shall include but not be limited to:
  - (a) Assessing, recommending, and implementing information technology governance and organization design to include effective information technology personnel management practices;
  - (b) Integrating information technology and resources plans with agency business plans;
  - (c) Overseeing shared Commonwealth information technology resources and services;
  - (d) Performing as the focal point and representative for the Commonwealth in information technology and related areas with both the public and private sector;
  - (e) Establishing appropriate partnerships and alliances to support the effective implementation of information technology projects in the Commonwealth;
  - (f) Identifying information technology applications that should be statewide in scope, and *assisting agencies in avoiding duplicate services*~~[ensuring that these applications are not developed independently or duplicated by individual state agencies of the executive branch]~~;
  - (g) Establishing performance measurement and benchmarking policies and procedures;
  - (h) Preparing annual reports and plans concerning the status and result of the state's specific information technology plans and submitting these annual reports and plans to the Governor and the General Assembly; and
  - (i) Managing the Commonwealth Office of Technology and its budget.

➔Section 4. Whereas, because it is important to encourage and assist businesses wishing to do business in Kentucky in these difficult economic times, by taking whatever steps are necessary to simplify the requirements for doing business, an emergency is declared to exist and this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming a law.

**Signed by Governor March 17, 2011.**