

#### **IC 4-4-35**

### **Chapter 35. Office of Small Business and Entrepreneurship**

#### **IC 4-4-35-1**

##### **"Director"**

Sec. 1. As used in this chapter, "director" refers to the director of the office of small business and entrepreneurship appointed under section 4 of this chapter.

*As added by P.L.187-2014, SEC.7.*

#### **IC 4-4-35-2**

##### **"Office"**

Sec. 2. As used in this chapter, "office" refers to the office of small business and entrepreneurship established by section 3 of this chapter.

*As added by P.L.187-2014, SEC.7.*

#### **IC 4-4-35-3**

##### **Establishment**

Sec. 3. The office of small business and entrepreneurship is established.

*As added by P.L.187-2014, SEC.7.*

#### **IC 4-4-35-4**

##### **Director; appointment; powers**

Sec. 4. (a) The lieutenant governor shall appoint an individual to be the director of the office.

(b) The director:

- (1) serves at the lieutenant governor's pleasure;
- (2) is entitled to receive compensation in an amount set by the lieutenant governor subject to the approval of the budget agency under IC 4-12-1-13; and
- (3) is responsible to the lieutenant governor.

(c) The director is the chief executive and administrative officer of the office.

(d) The director may appoint employees in the manner provided by IC 4-15-2.2 and fix their compensation, subject to the approval of the budget agency under IC 4-12-1-13.

(e) The director may delegate the director's authority to the appropriate office staff.

*As added by P.L.187-2014, SEC.7.*

#### **IC 4-4-35-5**

##### **Duties and authorities of the office**

Sec. 5. (a) The office shall do the following:

- (1) Operate the Indiana small business development center.
- (2) Maintain, through the small business development centers, a statewide network of public, private, and educational

resources to, among other things, inform small businesses of the state and federal programs under which small businesses may obtain financial assistance or realize reduced costs through programs such as the small employer health insurance pooling program under IC 27-8-5-16(8).

(3) Employ a small business ombudsman.

(4) Support the development of small business in Indiana through the Indiana small business development center.

(5) Administer the young entrepreneurs program under IC 4-4-36.

(6) Develop and administer programs to support the growth of small businesses.

(b) The office may maintain:

(1) a toll free telephone number; and

(2) an Internet web page;

to provide free access to the office's services related to the Indiana small business development center.

*As added by P.L.187-2014, SEC.7. Amended by P.L.145-2016, SEC.1.*

#### **IC 4-4-35-6**

##### **Small business assistance center**

Sec. 6. The office may operate a small business assistance center to provide small businesses, including minority owned businesses and businesses owned by women, with access to managerial and technical expertise and to provide assistance in resolving problems encountered by small businesses.

*As added by P.L.187-2014, SEC.7.*

#### **IC 4-4-35-7**

##### **Powers and duties**

Sec. 7. The office has the following:

(1) All powers, duties, and responsibilities designated by the governor or the lieutenant governor, or both, that are consistent with the exercise of executive authority under the Constitution of the State of Indiana.

(2) All powers, duties, and responsibilities provided to the office by statute.

*As added by P.L.187-2014, SEC.7.*

#### **IC 4-4-35-8**

##### **Small business ombudsman**

Sec. 8. The office shall designate an employee to be the small business ombudsman. The small business ombudsman serves at the pleasure of the director. The office shall provide staff support to the small business ombudsman. The small business ombudsman shall carry out the following duties:

(1) Work with state agencies to permit increased enforcement

flexibility and the ability to grant common sense exemptions for first time offenders of state rules and policies, including, notwithstanding any other law, policies for the compromise of interest and penalties related to a listed tax (as defined in IC 6-8.1-1-1) and other taxes and fees collected or administered by a state agency.

(2) Work with state agencies to seek ways to consolidate forms and eliminate the duplication of paperwork, harmonize data, and coordinate due dates.

(3) Coordinate with OMB (as defined in IC 4-3-22-3) to perform cost benefit analyses.

(4) Work with state agencies to monitor any outdated, ineffective, or overly burdensome information requests from state agencies to small businesses.

(5) Carry out the duties specified under IC 4-22-2-28 and IC 4-22-2.1 to review proposed rules and participate in rulemaking actions that affect small businesses.

(6) Coordinate with the ombudsman designated under IC 13-28-3-2 and the office of voluntary compliance established by IC 13-28-1-1 to coordinate the provision of services required under IC 4-22-2-28.1 and IC 13-28-3.

(7) Prepare written and electronic information for periodic distribution to small businesses describing the small business services provided by coordinators (as defined in IC 4-3-22-16) and work with the office of technology established by IC 4-13.1-2-1 to place information concerning the availability of these services on state Internet web sites that the small business ombudsman or a state agency determines are most likely to be visited by small business owners and managers.

(8) Assist in training agency coordinators that are assigned to rules under IC 4-22-2-28.1(e).

(9) Investigate and attempt to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

State agencies shall cooperate with the small business ombudsman to carry out the purpose of this section. The department of state revenue and the department of workforce development shall establish a program to distribute the information described in subdivision (7) to small businesses that are required to file returns or information with these state agencies.

*As added by P.L.187-2014, SEC.7.*

#### **IC 4-4-35-9**

##### **Authorization to adopt rules**

Sec. 9. The office may adopt rules under IC 4-22-2 to carry out the duties, purposes, and functions of this chapter.

*As added by P.L.187-2014, SEC.7.*