

FORM 14

SMALL BUSINESS IMPACT STATEMENT

1. Our agency has determined that the rule(s) we are proposing have the following impact on small businesses (i.e., a business with 25 or fewer full-time employees):
 - Direct impact (Complete remainder of form, starting on question 2.)
 - Indirect impact (Explain impact specific to small businesses and how impact is indirect in the space below, then skip to the date and signature at the end of the form.)
 - No impact (Explain how there is no impact specific to small businesses in the space below, then skip to the date and signature at the end of the form.)

Explain: The proposed rules changes are necessary as a result of changes to the statutes that were made by the 2024 Legislature.

2. A general narrative and overview of the effect of the rule(s) on small business written in plain, easy to read language (do not repeat the general effect of the proposed rule(s), instead specify the proposal's effects on small business in particular):

The proposed rule will replace "soil" with "natural resources" to reflect the work that conservation districts do. The proposed rule will also update an out-of-date reference to the "law implement" to the correct location in current state law. The proposed rule will also add "soil health" as a eligibility criteria to the conservation award recognition program.

3. What is the basis for the enactment of the rules(s)?
 - Required to meet changes in federal law
 - Required to meet changes in state law
 - Required solely due to changes in date (i.e., must be changed annually)
 - Other: The addition of "soil health" practices to the list of eligible practices to be considered for natural resources award recognition program.

4. Provide a brief discussion of the necessity of the rule(s):

The verbiage in the current administrative rules is no longer consistent with South Dakota codified law. The proposed changes with update these rules.

5. Describe the small businesses or types of small businesses that would be subject to the rule(s)?

No businesses would be subject to this rule.

6. Estimate of the number of small businesses that would be subject to the rule(s):

- 1-99 100-499 500-999 1,000-4,999 More than 5,000
 Unknown - please explain: No businesses would be subject to this rule

7. Are small businesses required to file or maintain any reports or records under the rule(s)?

- Yes No

a. If "yes," how many annual reports must a small business submit to the state?

b. If "yes," how much ongoing recordkeeping within the business is necessary?

c. If "yes," what type of professional skills would be necessary to prepare the reports or records?

- The average owner of a small business should be able to complete the reports or records with no assistance.
 It is likely that a bookkeeper for a small business should be able to complete the reports or records.
 It is likely that a small business person would need the assistance of a CPA to complete the reports or records.
 It is likely that a small business person would need the assistance of an attorney to complete the reports or records.
 Other
 Unknown - please explain:

8. Are there any less intrusive or less costly methods to achieve the purpose of the rule(s) (i.e., fewer reports, less recordkeeping, lower penalties)?

No - please explain: Since this is a simple change to the current rules, it would be difficult to find a less costly method to update the rule.

Yes - please explain:

8-15-2024

[Date]

Hunter Roberts

[Authorized Signatory]

Department of Agriculture and Natural Resources

[Agency Name]

This Small Business Impact Statement must be signed by the head of the agency or the presiding officer of the board or commission empowered to adopt rules.

A general explanation must be provided for each proposed rule or rule amendment. For multiple proposed rules with a single purpose and impact, only one explanation is required.

Agencies must use readily available information and existing resources to prepare this Small Business Impact Statement.