

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:¹
 - Direct impact (Complete remainder of form.)
 - Indirect impact (Provide a brief explanation below. Skip to end of form.)
 - No impact (Provide a brief explanation below. Skip to end of form.)

The proposed rules reduce the application fee for certain bank applications, reduce the number of copies of application documents which must be provided to the Division of Banking, and provide public trust companies with another option to meet their South Dakota trust administration requirement. The bank application process was changed during the 2020 Legislative Session by HB 1015. This rule simply implements that legislation by reducing certain application fees to account for applicant banks paying required publication costs directly.

2. A general narrative and overview of the effect of the rule(s) on small business written in plain, easy to read language:

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:

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

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

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

¹ A "small business" is defined as any business with 25 or fewer full-time employees.

- 1-99 100-499 500-999 1,000-4,999 More than 5,000
 Unknown - please explain:

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:
 Yes - please explain:

9-18-2020

[Date]

Marcia Hultman

Secretary, Department of Labor and Regulation