



## Illinois Department of Commerce & Economic Opportunity

JB Pritzker, Governor

**To: State Agency General Counsel**  
**From: Michelle Masoncup, General Counsel, DCEO**  
**Date: January 12, 2021**  
**Re: Overview of Compliance Requirements – Business Assistance & Regulatory Reform Act**

The purpose of this memorandum is to provide notice to agencies of statutory requirements contained in the Business Assistance and Regulatory Reform Act (20 ILCS 608/20) (the “Act”). In 2016, the Act was amended to add Section 20, which requires each state agency to scrutinize its rules, administrative regulations, and permitting processes as they pertain to small businesses. Below is a short summary of the requirements.

### **A. Five-Year review and reporting requirement**

The Act required an initial review by each state agency of their rules, regulations, and permitting processes within one year of the effective date (January 1, 2016) of the amendatory Act. Therefore, the initial review was to be performed by January 1, 2017, and every 5 years thereafter. At the conclusion of the review, each State agency was required to issue a report containing the results and any recommendations to the General Assembly, the Governor, and to the Department of Commerce and Economic Opportunity (DCEO). Accordingly, the first five-year period articulated in the Act is from January 1, 2017 – December 31, 2021. Although there is no stated filing date for the five-year report, we recommend agencies submit their report by March 1, 2022.

### **B. Overview of Review Required**

The review needs to involve studying each agencies rules, administrative regulations, and permitting processes as they apply to small business in order to identify those rules, regulations, and processes that are unreasonable, unduly burdensome, duplicative or onerous to small businesses. The Act seeks for each agency to identify obstacles that are unnecessary, analyze if a licensing or permit process can be less complex and modified to consolidate steps, and evaluate the costs of regulatory steps and processes.

The Act specifically identifies five goals of the review for each state agency to:

- (1) recommend changes that will lessen the reporting and paperwork requirements on small businesses while still achieving the intent of the underlying statute;
- (2) eliminate unnecessary or antiquated permit requirements;
- (3) consolidate duplicative or overlapping permit requirements;
- (4) simplify overly complex or lengthy application procedures; and
- (5) expediate time-consuming agency review and approval procedures.

### **C. Submission of Report to DCEO and First Stop Business Information Center liaison**

In addition to your submission to the Governor and General Assembly, please send the report to DCEO’s First Stop Business Information Center (referred to as the Office of Business Permits and

Regulatory Assistance in the Act). The Act created the First Stop Business Information Center to improve the State's business climate by providing quick, accurate information to businesses on existing regulatory requirements and resources available to them. To help achieve this goal, we request that agencies designate an agency staff liaison to the First Stop Business Information Center. The liaison will assist with occasional review and the addition of new or changing business requirements in the program's online knowledge base of state business requirements and/or resources.

The 5-year Report submission and agency liaison designation(s) can be sent to Annette Fulgenzi, Program Manager, First Stop Business Information Center; with a copy to Kristi Dula, Deputy Director for the Office of Entrepreneurship, Innovation and Technology. Contact emails: [Annette.Fulgenzi@illinois.gov](mailto:Annette.Fulgenzi@illinois.gov) and [Kristi.dula@illinois.gov](mailto:Kristi.dula@illinois.gov).