

Small Business Impact Statement  
Proposed Regulations R023-19

**1.0 Overview**

The Nevada State Contractors Board (NSCB) proposes amendments to portions of the Administrative Code regarding the regulation of contractors in Nevada. The first amendments are intended to expand and clarify the types of experience documentation necessary for an applicant to become a licensed contractor. The second amendments are intended to define “employer” and “employee” as those terms are used in the statutes and regulations to remove ambiguity.

The Nevada State Contractors Board has determined that the proposed regulations should not have a negative financial impact upon a small business. The proposed regulations are not expected to negatively impact the formation, operation, or expansion of a small business in Nevada.

Further, these regulations were temporary regulations that were implemented in May 2019. As temporary regulations, the Nevada State Contractors Board received no comments or complaints regarding the temporary regulations’ impacts upon small business.

**2.0 Authority**

This small business impact statement is made pursuant to NRS 233B.0608 and complies with the requirements of NRS 233B.0609. As required by NRS 233B.0608(3), this statement identifies the methods used by the agency in determining the impact of the proposed regulation on a small business and provides the reasons for the conclusions of the agency followed by the certification by the person responsible for the agency.

**3.0 Background**

The Nevada State Contractors Board recognizes that it is important to reduce unwarranted barriers to licensure and to increase the portability of licensure. While affirmative steps have been made toward these goals, additional regulatory change is a transparent mechanism to broaden the class of persons positively affected by the paired goals of barrier reduction and portability ease. Thus, the regulatory changes are expected to expand and clarify the types of experience documentation necessary for an applicant to become a licensed contractor.

Additional language seeks to resolve conflict among various statutory schemes that can be reconciled and clarified with defining the employer-employee relationship as used in NRS Chapter 624. Thus, the regulatory changes are expected to harmonize the statutory and regulatory scheme in a transparent and consistent manner.

**4.0 Survey of Small Business**

Pursuant to NRS 233B.0608(2)(a), the Nevada State Contractors Board requested input from its licensees, interested parties, and the public.

- 4.1 A description of the manner in which comment was solicited from affected small businesses, a summary of their responses, and an explanation of the manner in which other interested persons may obtain a copy of the summary.

A Small Business Impact Questionnaire was provided along with a copy of the proposed regulation change to the licensees and interested persons via the Nevada Contractors Board's web site. The response period for the Questionnaire was from December 11, 2018 until January 14, 2019. The Questionnaire asked:

- 1) How many employees are currently employed by your business?
- 2) Will a specific regulation have an adverse economic effect upon your business?
- 3) Will the regulation(s) have any beneficial effect upon your business?
- 4) Do you anticipate any indirect adverse effects upon your business?
- 5) Do you anticipate any indirect beneficial effects upon your business?

No responses were received for this survey.

Any other persons interested in obtaining a copy of the summary may mail in a request to:

Nevada State Contractors Board  
c/o Public Information Officer  
2310 Corporate Circle, Suite 200  
Henderson, NV 89074

- 4.2 Describe the manner in which the analysis was conducted.

The analysis was comprised of stakeholder feedback compiled by the Nevada State Contractors Board. The overall feedback was accepting of the proposed regulation changes and was in agreement that the proposed regulation changes did not have a negative impact upon small businesses.

- 4.3 The estimated economic effect of the proposed regulation on the small business that it is to regulate including, without limitation: a) both adverse and beneficial effects; and b) both direct and indirect effects.

No adverse economic effects were identified because the proposed regulation changes either expand the types of experience documentation that may allow an applicant to become a contractor or clarify the employer-employee relationship to match the traditional understanding of that relationship as modified by Nevada law. These changes directly benefit applicants and existing licensees by relaxing and clarifying standards that may act as impediments to lawful contracting in Nevada.