

## **Regulatory Flexibility Analysis for Small Businesses and Local Governments (RFA)**

### **1. Effect of rule**

The Board does not expect the proposed rule to have any impact on small businesses or local governments within New York State. The current regulation allows legal interns associated with a legal aid organization to represent parties before the Board. The proposed amendment would merely allow an expanded category of law student and legal interns throughout the State of New York to represent parties in Board proceedings. Because the revised rule would only expand an existing rule that has had no impact on small businesses or local governments, the Board does not predict that small businesses or local governments will have to bear any cost associated with the proposed rule.

### **2. Compliance requirements**

Small businesses and local governments will not have to engage in any reporting, recordkeeping or other affirmative acts as a result of the proposed amendment to 12 NYCRR 302-1.6.

### **3. Professional services**

Small businesses and local governments will not need to obtain any professional services as a result of the proposed amendment to 12 NYCRR 302-1.6 insofar as the proposed rule does not impose any affirmative obligations on small businesses or local governments.

### **4. Compliance costs**

The Board does not expect businesses or local governments to incur any capital costs as a result of the proposed rule, as the proposed rule does not impose any compliance requirements on businesses or local governments.

### **5. Economic and technological feasibility**

The Board does not expect small businesses and local governments to bear economic or technological costs as a result of the amendments to Board Rule 302-1.6. The proposed rule does not impose any affirmative obligations on small businesses or local governments. Further, the proposed amendment would merely allow an expanded category of law student and legal interns throughout the State of New York to represent parties in Board proceedings. Because the revised rule would only expand an existing rule that has had no impact on small businesses or local governments, the Board does not predict that small businesses or local governments will now bear economic or technological costs as a result of the proposed rule.

### **6. Minimizing adverse impact**

The proposed rule will have no adverse economic impact on small businesses or local governments. The proposed amendment to 12 NYCRR 302-1.6 will merely allow the Board to hire and supervise law school and legal interns to represent parties in Board

proceedings. The Board expects to recruit legal interns from law schools for this purpose and, whenever feasible, to offer school credit in exchange for the students' participation rather than monetary compensation. The proposed rule imposes no burdens, obligations, or costs on the business community or local governments. The approaches for minimizing adverse economic impact suggested in SAPA §202-b(1) were considered, but not relevant given that the proposed regulation will not negatively impact small businesses or local governments.

**7. Small business and local government participation**

The Board will duly consider all public comments made by small business and local government stakeholders in response to the proposed rulemaking.