

Secretary of State
Certificate and Order for Filing
TEMPORARY ADMINISTRATIVE RULES
A Statement of Need and Justification accompanies this form..

I certify that the attached copies* are true, full and correct copies of the TEMPORARY Rule(s) adopted on Upon filing by the
Date prior to or same as filing date

Department of Consumer and Business Services-Office of Minority Women and Emerging Small Business 445
Agency and Division Administrative Rules Chapter Number

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to become effective Upon filing through June 27, 2006
Date upon filing or later A maximum of 180 days including the effective date.

RULE CAPTION

The Emerging Small Business eligibility requirements are modified to create a two-tier designation system.
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

List each rule number separately, 000-000-0000.

ADOPT: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

AMEND:

445-050-0115, 445-050-0125 and 445-050-0135

SUSPEND:

ORS 200.055
Stat. Auth. Other Authority

Oregon Laws Chapter 683
Stats. Implemented

RULE SUMMARY

These rule changes implement the following changes made by 2005 Oregon Laws Chapter 683 :
Creates a two-tier system for certification of emerging small businesses and modifies the qualifications by increasing the employee and gross-receipts thresholds. "Tier one firm" means a business that employs fewer than 20 full-time equivalent employees and has average annual gross receipts for the last three years that do not exceed \$1.5 million for a business performing construction, as defined in ORS 446.310, or \$600,000 for a business not performing construction. "Tier two firm" means a business that employs fewer than 30 full-time equivalent employees and has average annual gross receipts for the last three years that do not exceed \$3 million for a business performing construction, as defined in ORS 446.310, or \$1 million for a business not performing construction.

Increases the limit on certification from seven to twelve years, six years at each tier. Allows reinstatement of a formerly certified business if the business still qualifies as an emerging small business and has eligibility remaining.

Transfers the Emerging Small Business Account from the Consumer and Business Services Fund to the State Highway Fund.

Authorized Signer Printed name Date