

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 109:1-4-04

Rule Type: New

Rule Title/Tagline: General grounds for refusal to issue a license, denial of a license application or renewal, or revocation of a license.

Agency Name: Attorney General

Division: Charitable Foundation

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I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?**
2. **Is this rule the result of recent legislation?** Yes
 - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 110 - 134 - Oelslager
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 2915.08(F)(1)
5. **What statute(s) does the rule implement or amplify?** 2915.08; 2915.081(G)
6. **What are the reasons for proposing the rule?**

Passage of HB 110
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

This rule sets forth the general reasons for which the attorney general may refuse to issue a license, deny an application or renewal, or revoke a license.

8. **Does the rule incorporate material by reference? No**
9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

Not Applicable

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Not Applicable

II. Fiscal Analysis

11. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will increase revenues.

0.00

The fiscal effects to the Charitable Law Section of the Attorney General's Office are uncertain. The legislation modernized charitable gaming. The Attorney General may have some increased revenue as a result of this rule, but there is not yet enough data to determine the impact as the rule allows for a disciplinary action to a license that was not previously contemplated. The AGO may incur additional expenses for the administration of this rule.

12. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

There is not enough data to project the costs of compliance for all person and/or organizations directly affected by this rule.

13. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**
14. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**
15. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Not Applicable

III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? No

17. Does this rule have an adverse impact on business? Yes

A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No

B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? Yes

This rule sets forth reasons for which the attorney general may refuse to issue a license, deny a license renewal, or revoke a license authorized under ORC 2915.

C. Does this rule require specific expenditures or the report of information as a condition of compliance? No

D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? Yes

Penalties for suspension, denial, or revocation of a license could impact the affected business.

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

A. How many new regulatory restrictions do you propose adding?

Not Applicable

B. How many existing regulatory restrictions do you propose removing?

Not Applicable