

Rule Summary and Fiscal Analysis (Part A)**Attorney General**

Agency Name

Sweepstakes

Division

Amber Aimar

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109:9-1-02

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Application for certificate of compliance.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **HB7**General Assembly: **130**Sponsor: **Rep. Huffman**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **119.03, 2915.02**

5. Statute(s) the rule, as filed, amplifies or implements: **2915.02**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

H.B. 7 of the 130th General Assembly requires the Attorney General to promulgate rules governing the conduct of sweepstakes in Ohio.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE,

then summarize the content of the rule:

The rule details the information required to be submitted to the Attorney General to obtain a certificate of compliance to exempt a person from the registration requirements of R.C. 2915.02.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so. If applicable, indicate each specific paragraph of the rule that has been modified:

Not Applicable.

12. 119.032 Rule Review Date:

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required:

the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase/decrease** either **revenues/ expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will increase revenues.

250.00

H.B. 7 requires the payment of a \$250 registration fee for each applicant for a certificate of compliance. That requirement is reiterated in the rule.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

N/A

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

H.B. 7 requires a fee of \$250 be paid by each applicant. The Attorney General may also assess up to an additional \$250 to cover the costs of investigating in excess of the original \$250 fee.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**

S.B. 2 (129th General Assembly) Questions

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **No**

19. Specific to this rule, answer the following:

A.) Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? **Yes**

This rule, as well as H.B. 7, requires all persons operating two or less sweepstakes terminal devices to obtain a certificate of compliance from the Attorney General to be exempt from the registration requirements of R.C. 2915.02.

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**

Failure to comply with the terms of the rule may result in administrative action by the Attorney General. In addition, failure to comply with the provisions of H.B. 7, as outlined in the rule, may result in potential criminal violations of R.C. Chapter 2915.

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