

Rule Summary and Fiscal Analysis (Part A)**Treasurer of State**

Agency Name

Division

Meredith Rockwell

Contact

**30 East Broad Street 9th Floor Columbus OH
43215-0000**

Agency Mailing Address (Plus Zip)

614-728-4198

Phone

Fax

Meredith.Rockwell@tos.ohio.gov

Email

113-40-03

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Reduced Collateral Floor Application.**RULE SUMMARY**1. Is the rule being filed for five year review (FYR)? **No**2. Are you proposing this rule as a result of recent legislation? **Yes**Bill Number: **HB64**General Assembly: **131**Sponsor: **Rep. Smith**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: **135.182**5. Statute(s) the rule, as filed, amplifies or implements: **135.18, 135.182**

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

This rule will permit the Ohio Treasurer of State to fulfill the obligation in ORC 135.182 to create and implement the Ohio Pooled Collateral Program. This rule specifies the requirements for a financial institution to obtain a reduced collateral floor.

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 permits a financial institution to apply for a reduced collateral floor by submitting an application to the Treasurer's office. The rule requires a financial institution to comply with certain rules to meet the safety and soundness standards of a public depository. The rule sets the minimum collateral level for a reduced collateral floor. The rule prohibits a financial institution from using a reduced collateral floor until it has participated in the Ohio Pooled Collateral Program for at least 30 calendar days.

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:

The text is generally available on the website of Office of the Treasurer of State.

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:

The text was not in final form at the time of filing, but it will be available for any hearings related to the rules.

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. Five Year Review (FYR) 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 have no impact on revenues or expenditures.

0

N/A

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:

N/A

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? **Yes**

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? **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? **No**

C.) Does this rule require specific expenditures or the report of information as a condition of compliance? **Yes**

The rule requires an application if the financial institution decides to participate in the program.