

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 128-4-02

Rule Type: No Change

Rule Title/Tagline: Capitol buildings or grounds use: general rules and requirement of a permit.

Agency Name: Capitol Square Review and Advisory Board

Division:

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I. Rule Summary

1. **Is this a five year rule review?** Yes
 - A. **What is the rule's five year review date?** 3/15/2024 and 08/24/2028
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 111.15
4. **What statute(s) grant rule writing authority?** 111.15
5. **What statute(s) does the rule implement or amplify?** 105.41
6. **What are the reasons for proposing the rule?**

128-4-02 promotes the rights of the public to use the capitol buildings and grounds while ensuring that such activity does not unduly interfere with government business, compromise the historic or aesthetic condition of the Capitol Square Complex, or threaten the safety of the public or state employees.

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

The rule describes requirements for the use of capitol buildings and grounds, including the circumstances in which a permit is required for such use.

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.

\$980,500

Increased revenues reflect the administrative fees required for permit applications, as well as rental fees for weddings and special events held at the Statehouse. Caterers and vendors providing services for a permitholder's special event also pay a facility fee to the CSRAB.

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

For activities that require a permit, there is a \$50-\$300 administrative fee depending on the event space. There is no cost of compliance for activities that do not require a permit.

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.**

The permit application fee helps offset operational costs to CSRAB staff that must review and process permit requests and work with permit applicants to plan events. The fee also helps cover event planning software and other resources.

III. Common Sense Initiative (CSI) Questions

- 16. Was this rule filed with the Common Sense Initiative Office? Yes**

- 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**

128-4-02 describes several types of activities that are considered violations of the rule and states that violations will be prosecuted to the extent allowed by law.

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

Yes, for the types of activity that require a permit under 128-4-02, an administrative fee is charged and a one-page permit application must be completed.

- 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**

Though minimal, the rule's \$50-\$300 administrative fee reduces the revenue of an individual or business applying for a permit.