

**Rule Summary and Fiscal Analysis (Part A)****Department of Commerce**

Agency Name

**Division of Financial Institutions: Consumer** **Mary Amos Augsburger****Finance**

Division

Contact

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**1301:8-5-03**

Rule Number

**RESCISSION**

TYPE of rule filing

Rule Title/Tag Line

**Notifications to the superintendent.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **No**

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: **4727.13**

5. Statute(s) the rule, as filed, amplifies or implements: **4727.03, 4727.04, 4727.19**

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

The Division proposes to rescind this rule because proposed amendments are greater than 50%.

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:

In paragraph (A), the rule requires that notification concerning a licensee's move

must be in writing and delivered to the superintendent at least thirty days prior to commencing business at the new location. In paragraph (B), the rule requires licensees to notify the superintendent within two business days in writing concerning changes to the licensee's posted hours of operation. Paragraph (C) sets forth the notification requirements for the surrender or non-renewal of a license although it incorrectly references R.C. 4727.03(G) as it should be R.C. 4727.03(H). Paragraph (D) requires notification within ten business days of the designation of a new salesperson for purposes of compliance with the R.C. 4727.19 continuing education requirement. Paragraph (E) permits written notifications required by this rule to be submitted through the mail, in person, or via fax.

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:

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

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

*Not Applicable.*

12. 119.032 Rule Review Date: **7/19/2010**

(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

Not Applicable

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

Not Applicable

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:

Any costs associated with complying with the notification requirements of this rule are minimal and are limited to the costs of printing and delivering the requisite notice.

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**