

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 3796:5-2-01

Rule Type: Amendment

Rule Title/Tagline: Employee identification cards.

Agency Name: Medical Marijuana Control Program

Division: General Provisions

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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? 5/6/2022
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 3796.03
5. What statute(s) does the rule implement or amplify? 3796.03
6. What are the reasons for proposing the rule?

The reason for proposing this rule is to remove language that is burdensome to licensees associated with employee badges.

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

Every employee of a licensed medical marijuana facility is required to be licensed by the state, and this rule outlines requirements for obtaining the necessary employee identification cards. The proposed amendments remove unnecessary requirements

from the list of materials to be submitted, including social security cards, proof of residence, and duplicative submissions related to criminal background checks.

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. 121.71 to 121.76, 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. As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.

This will have no impact on revenues or expenditures.

\$0

Not applicable.

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

Every owner, principal officer, board member, or employee who may significantly influence or control the activities of a cultivator, processor, or testing laboratory must apply to the department for an employee identification card. This requires submission of documentation and a background check. To apply, a fee of \$100 must be submitted to Commerce. The cost of the background check is \$25.25. There are also administrative costs associated with the application. The proposed amendment should decrease the costs associated with the underlying rule for licensees.

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

III. Common Sense Initiative (CSI) Questions

15. Was this rule filed with the Common Sense Initiative Office? Yes

16. Does this rule have an adverse impact on business? No

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

In order to operate as a medical marijuana facility, you must obtain a license. Employees of these facilities must also be licensed. The proposed amendment does not create additional license requirements.

- 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

Employee badges require the submission of documentation and a background check and \$100.