

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4717-10-01
Rule Type: Amendment
Rule Title/Tagline: Preneed funeral contract annual report.
Agency Name: Board of Embalmers and Funeral Directors
Division:
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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?** 4/5/2017
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?** 4717.04
5. **What statute(s) does the rule implement or amplify?** 4717.31, 4717.32
6. **What are the reasons for proposing the rule?**

The rule provides the licensee an additional day to postmark the preneed funeral contract annual report and comply with the rule. The amended version seeks to add more of a common sense approach to the reporting requirement. The current version of the rule selected an arbitrary date, March 30.

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

The rule moves the annual report deadline from March 30 to March 31.

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.

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Not Applicable

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

The licensee would be required to pay for postage to submit the report to the Board by the deadline.

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? Yes

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

All licensed funeral homes are required to send the annual report that accounts for all the funeral contracts it has in its possession.

- 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 this regulation will create disciplinary action that will result in the Board assessing a financial penalty against the licensee.

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

4717-10-01(A)(1) - (A)(6) lists information that is required to be included on annual report. The specific expenditure required is the postage fee necessary to mail the report to the Board.