Rule Summary and Fiscal Analysis
<u>Part A</u> - General Questions

Rule Number: 901:8-2-11

Rule Type: Amendment

Rule Title/Tagline: Online auction held in conjunction with live auction.

Agency Name: Department of Agriculture

Division: Enforcement and Compliance

Address: 8995 E. Main Street Reynoldsburg OH 43068

Contact: Jacquelyn Rachelle Keller-Potvin   **Phone:**   614-728-6430

Email: Jacquelyn.Keller-Potvin@agri.ohio.gov

I.   <u>Rule Summary</u>

1.   **Is this a five year rule review?** Yes

   A.   **What is the rule's five year review date?** 7/8/2021

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?** 4707.19

5.   **What statute(s) does the rule implement or amplify?** 4707.02

6.   **What are the reasons for proposing the rule?**

   This rule is being reviewed in accordance with the five year rule review process. The rules in this package outline the regulations of the auctioneer profession in the state and have been reviewed by auctioneers and the Ohio Auctioneer Commission.

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

   Rule 901:8-2-11 outlines procedures for online auctions held in conjunction with a live auction. This rule is being amended for stylistic changes.

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 have no impact on revenues or expenditures.

    0.00

    Not Applicable.

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

    This rule imposes no new requirements, and only extends the requirements for contracts and recordkeeping to those auctioneers and auctioneer firms already required to be licensed for online auctions conducted in conjunction with live auctions. The quantified impact of this rule is minimal based on the existence of a similar requirement.

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.**

    Not Applicable.

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? Yes

    All licensed and apprentice auctioneers in the state of Ohio must have a license with the Department of Agriculture.

    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? No

    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? No

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

    A. How many new regulatory restrictions do you propose adding?

    Not Applicable

    B. How many existing regulatory restrictions do you propose removing?

    Not Applicable