

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4501:7-1-22

**Rule Type:** New

**Rule Title/Tagline:** Firearm bearer notation issuance and renewal.

**Agency Name:** Department of Public Safety

**Division:** Private Investigator Security Guard Services

**Address:** 1970 West Broad Street PO Box 182081 Columbus OH 43218-2081

**Contact:** Joseph Kirk

**Email:** jakirk@dps.ohio.gov **Phone:** 614-466-5605

#### I. Rule Summary

1. Is this a five year rule review? No
  - A. What is the rule's five year review date?
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? 4749.02
5. What statute(s) does the rule implement or amplify? 4749.10
6. What are the reasons for proposing the rule?

The rule is being proposed to make requirements for firearm bearer notation more clear.

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

The rule deals with firearm bearer notation issuance and renewal for the private investigator/security guard industry. Language dealing with firearm bearer notation in chapter 4501:7-1 has been consolidated and clarified in rules 4501:1-22 and 4501-1-23 of the Administrative Code.

8. Does the rule incorporate material by reference? Yes
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.  
All agency forms are being filed with rule 4501:7-1-01 as part of the package.
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.

0.00

Not applicable.

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

The estimated costs of compliance for stakeholders include the initial license fee of \$375.00, the qualifying agent examination fee of \$25.00, and the \$5.00 fee for enrollment in the retained fingerprint database. The qualifying agent's fingerprint background check is estimated at \$22.00. If the qualifying agent elects to carry a weapon, the firearm-bearer application is \$15.00, and the required FBI background. The annual costs to renew a Class A, Class B, and Class C license include a \$275.00 application fee, a \$5.00 fee to renew the qualifying agent's record in the retained fingerprint database, and a \$15.00 fee to renew a qualifying agent's firearm bearer notation, if applicable. This rule also requires a passport-style photo, which is estimated at up to \$15.00 depending on where it is obtained. If a stakeholder requests a replacement license due to a license being lost, spoiled, or damaged, a \$25 fee is required. There is no fee to change a licensee's address, contact information, mailing address, business name or trade name.

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

This rule requires all licensed providers to renew their employees' registrations annually. Each registrant must continue to meet the qualifications set forth in section 4749.06 of the Revised Code and continue to meet renewal requirements set forth in rule prior to being renewed.

- 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 meet the requirements in this rule may result in an application for renewal to be denied. Further, Pursuant to sections 4749.04, 4749.13, and 4749.99 of the Revised Code, the director of public safety may revoke, suspend, or refuse to renew the license of any private investigator or security guard provider, or the registration of any employee of a private investigator or security guard provider, or impose an administrative or criminal penalty for violation of any rule of the director governing private investigators, the business of private investigation, or the business of security services.

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

The estimated costs of compliance for stakeholders include the initial license fee of \$375.00, the qualifying agent examination fee of \$25.00, and the \$5.00 fee for enrollment in the retained fingerprint database. The qualifying agent's fingerprint background check is estimated at \$22.00. If the qualifying agent elects to carry a weapon, the firearm-bearer application is \$15.00, and the required FBI background. The annual costs to renew a Class A, Class B, and Class C license include a \$275.00 application fee, a \$5.00 fee to renew the qualifying

agent's record in the retained fingerprint database, and a \$15.00 fee to renew a qualifying agent's firearm bearer notation, if applicable. This rule also requires a passport-style photo, which is estimated at up to \$15.00 depending on where it is obtained. If a stakeholder requests a replacement license due to a license being lost, spoiled, or damaged, a \$25 fee is required. There is no fee to change a licensee's address, contact information, mailing address, business name or trade name.