

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4501:7-1-22

Rule Type: Amendment

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

Agency Name: Department of Public Safety

Division: Private Investigator Security Guard Services

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I. Rule Summary

1. Is this a five year rule review? Yes

A. What is the rule's five year review date? 6/26/2020

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 filed according to five year review.

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. Changes include updating materials incorporated by reference, allowing for fees electronically instead of by "credit card" and updating antiquated language regarding a time period.

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. 121.75, 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. 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?

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
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.

The fees are for the review and collection of required documents, and issuance of the license.

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

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.

- 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? Yes**

Yes, however only if the licensee wishes for the registrant to have a firearm bearer notation to allow them to carry a firearm in the practice of their duties.

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