



# Common Sense Initiative

Mike DeWine, Governor  
Jon Husted, Lt. Governor

Joseph Baker, Director

## Business Impact Analysis

Agency, Board, or Commission Name: Ohio Department of Job and Family services; Office of Child Support

Rule Contact Name and Contact Information: Michael Lynch  
[Michael.Lynch@ifs.ohio.gov](mailto:Michael.Lynch@ifs.ohio.gov)

Regulation/Package Title (a general description of the rules' substantive content):  
OCS – State lottery, casino, and sports gaming data match and withholding

Rule Number(s): 5101:12-55-30.1

Date of Submission for CSI Review: 1/17/2025

Public Comment Period End Date: 1/24/2025

**Rule Type/Number of Rules:**

New/\_\_\_ rules

No Change/ 1 rules (FYR? Yes)

Amended/\_\_\_ rules (FYR? \_\_\_)

Rescinded/\_\_\_ rules (FYR? \_\_\_)

The Common Sense Initiative is established in R.C. 107.61 to eliminate excessive and duplicative rules and regulations that stand in the way of job creation. Under the Common Sense Initiative, agencies must balance the critical objectives of regulations that have an adverse impact on business with the costs of compliance by the regulated parties. Agencies should promote transparency, responsiveness, predictability, and flexibility while developing regulations that are fair and easy to follow. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

77 SOUTH HIGH STREET | 30TH FLOOR | COLUMBUS, OHIO 43215-6117

[CSIPublicComments@governor.ohio.gov](mailto:CSIPublicComments@governor.ohio.gov)

### **Reason for Submission**

1. **R.C. 106.03 and 106.031 require agencies, when reviewing a rule, to determine whether the rule has an adverse impact on businesses as defined by R.C. 107.52. If the agency determines that it does, it must complete a business impact analysis and submit the rule for CSI review.**

**Which adverse impact(s) to businesses has the agency determined the rule(s) create?**

**The rule(s):**

- a. ☐ **Requires a license, permit, or any other prior authorization to engage in or operate a line of business.**
- b. ☐ **Imposes a criminal penalty, a civil penalty, or another sanction, or creates a cause of action for failure to comply with its terms.**
- c. ☒ **Requires specific expenditures or the report of information as a condition of compliance.**
- d. ☐ **Is likely to directly reduce the revenue or increase the expenses of the lines of business to which it will apply or applies.**

### **Regulatory Intent**

2. **Please briefly describe the draft regulation in plain language.**

***Please include the key provisions of the regulation as well as any proposed amendments.***

Rule 5101:12-55-30.1, "State lottery, casino, and sports gaming data match and withholding," describes the process to identify whether a person entitled to a lottery prize award, or casino or sports gaming winnings is an obligor subject to a final and enforceable determination of default.

3. **Please list the Ohio statute(s) that authorize the agency, board or commission to adopt the rule(s) and the statute(s) that amplify that authority.**

3123.89, 3123.90, 3125.25.

4. **Does the regulation implement a federal requirement? Is the proposed regulation being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal law or to participate in a federal program?**

***If yes, please briefly explain the source and substance of the federal requirement.***

No. Not applicable.

5. **If the regulation implements a federal requirement, but includes provisions not specifically required by the federal government, please explain the rationale for exceeding the federal requirement.**

The rule was promulgated pursuant to requirements of sections 3123.89 and 3123.90 of the Revised Code to collect past-due child support from lottery prize awards and casino or sports gaming winnings of obligors who are in default of their support obligations.

- 6. What is the public purpose for this regulation (i.e., why does the Agency feel that there needs to be any regulation in this area at all)?**

The rule is promulgated pursuant to sections 3123.89, 3123.90, and 3125.25 of the Revised Code to collect child support arrears from obligors who are entitled to lottery winnings. The purpose of the rule is to provide guidance to county child support enforcement agencies.

- 7. How will the Agency measure the success of this regulation in terms of outputs and/or outcomes?**

Success is measured by the collection of arrears from obligors who are entitled to lottery winnings, or casino or sports gaming winnings.

- 8. Are any of the proposed rules contained in this rule package being submitted pursuant to R.C. 101.352, 101.353, 106.032, 121.93, or 121.931?**

*If yes, please specify the rule number(s), the specific R.C. section requiring this submission, and a detailed explanation.*

No

### **Development of the Regulation**

- 9. Please list the stakeholders included by the Agency in the development or initial review of the draft regulation.**

*If applicable, please include the date and medium by which the stakeholders were initially contacted.*

This rule was discussed on 12/11/2024 with the child support enforcement agencies work group and made available for public comment by stakeholders (including child support enforcement agencies, other child support professionals, and private entities) during the Ohio Department of Job and Family Services (ODJFS) policy clearance process from 12/30/2024 – 01/13/2025.

- 10. What input was provided by the stakeholders, and how did that input affect the draft regulation being proposed by the Agency?**

No comment was received on this rule during the meeting on 12/11/2024 or during the clearance period.

- 11. What scientific data was used to develop the rule or the measurable outcomes of the rule? How does this data support the regulation being proposed?**

None; not applicable.

- 12. What alternative regulations (or specific provisions within the regulation) did the Agency consider, and why did it determine that these alternatives were not appropriate? If none, why didn't the Agency consider regulatory alternatives?**

*Alternative regulations may include performance-based regulations, which define the required outcome, but do not dictate the process the regulated stakeholders must use to comply.*

The rule has been in place since 2014, as required by section 3123.89 of the Revised Code, to describe child support data match for lottery winnings. The rule consolidates and restate requirements from sections 3123.89 and 3123.90 of the Revised Code, which do not authorize alternative regulations.

**13. What measures did the Agency take to ensure that this regulation does not duplicate an existing Ohio regulation?**

The rule was developed to comply with the statutory requirements of sections 3123.89, 3123.90, and 3125.25 of the Revised Code.

**14. Please describe the Agency's plan for implementation of the regulation, including any measures to ensure that the regulation is applied consistently and predictably for the regulated community.**

Once the rule is final filed, a transmittal letter will be generated explaining the changes to the rule and the rationale for the changes. ODJFS will continue to coordinate with the Ohio Casino Control Commission and Ohio Lottery Commission to ensure that the impacted community has the information and resources necessary to implement requirements in sections 3123.89 and 3123.90 of the Revised Code. Child support professionals are notified via e-mail of the transmittal letter, which can be viewed at: [Child Support Program Manual](#). Local child support enforcement agencies and ODJFS - Office of Child Support are available to answer any questions that the impacted entities may have regarding compliance.

**Adverse Impact to Business**

**15. Provide a summary of the estimated cost of compliance with the rule(s). Specifically, please do the following:**

**a. Identify the scope of the impacted business community, and**

Casino operators or management companies, and sports gaming proprietors are required to comply with the Revised Code requirements that are described in this rule. ODJFS anticipates that 69 businesses will be impacted (65 sports gaming proprietors and 4 casino operators).

**b. Quantify and identify the nature of all adverse impact (e.g., fees, fines, employer time for compliance, etc.).**

*The adverse impact can be quantified in terms of dollars, hours to comply, or other factors; and may be estimated for the entire regulated population or for a representative business. Please include the source for your information/estimated impact.*

The impact of requirements in sections 3123.89 and 3123.90 of the Revised Code includes time for data entry and remittance of payment from applicable lottery prize awards, or casino or sports gaming winnings. This is estimated to be less than five minutes per applicable transaction.

- 16. Are there any proposed changes to the rules that will reduce a regulatory burden imposed on the business community? Please identify. (*Reductions in regulatory burden may include streamlining reporting processes, simplifying rules to improve readability, eliminating requirements, reducing compliance time or fees, or other related factors*).**

There are no proposed changes to this rule. The rule was developed to comply with the statutory requirements of sections 3123.89, 3123.90, and 3125.25 of the Revised Code.

- 17. Why did the Agency determine that the regulatory intent justifies the adverse impact to the regulated business community?**

This rule was developed to describe for program stakeholders the data match process used to identify whether a person entitled to a lottery prize award, casino or lottery winnings is subject to a final and enforceable determination of default under a support order. Any adverse impact is not created by this rule, but rather restate requirements of sections 3123.89 and 3123.90 of the Ohio Revised Code.

### **Regulatory Flexibility**

- 18. Does the regulation provide any exemptions or alternative means of compliance for small businesses? Please explain.**

Compliance is required by sections 3123.89 and 3123.90 of the Revised Code.

- 19. How will the agency apply Ohio Revised Code section 119.14 (waiver of fines and penalties for paperwork violations and first-time offenders) into implementation of the regulation?**

The rule does not impose a fine or penalty, but rather describes the data match required by state statutes.

- 20. What resources are available to assist small businesses with compliance of the regulation?**

Local child support enforcement agencies and ODJFS - Office of Child Support are available to answer any questions that the impacted entities may have regarding compliance.