

**MEMORANDUM**

**TO:** Abbie Miller, Ohio State Racing Commission

**FROM:** Sophia Papadimos, Regulatory Policy Assistant

**DATE:** June 9, 2015

**RE:** **CSI Review – Chapter 5 No-Change Rules (OAC 3769-5-01 through 3769-5-47 and 3769-5-50 through 3769-5-99)**

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On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

**Analysis**

This rule package consists of seventy no-change rules being proposed by the Ohio State Racing Commission pursuant to the five-year review requirement in statute. The rule package was filed with the CSI Office on December 11, 2014, and the public comment period closed on December 19, 2014. No comments were received during this time. The CSI Office requested a revised BIA to better articulate the adverse impacts, which was then submitted to the CSI Office on March 17, 2015. The original rule package was submitted with seventy-two rules. Upon further review, it was revealed that two of the rules were rescinded in 2005. The Racing Commission submitted a revised BIA on June 8, 2015, including only seventy rules.

This chapter outlines eligibility requirements for racing; the responsibilities of the racing secretary; licensing, entry, and proof of ownership requirements prior to racing; and weight penalties and weight allowances. The revised BIA explains in detail the adverse impacts that are a result of this chapter, including but not limited to, entry fees, required reporting and potential penalties.

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After reviewing the revised BIA and associated rules, the CSI Office has determined the purpose of the rules is justified.

### **Recommendations**

For the reasons discussed above, the CSI Office does not have any recommendations for this rule package.

### **Conclusion**

Based on the above comments, the CSI Office concludes that the Ohio State Racing Commission should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.