

Economic Impact Statement

LSA Document #10-52

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses

IC 4-22-2.1-5(a) provides that an agency that intends to adopt a rule under IC 4-22-2 that will impose requirements or costs on small businesses must prepare a statement that describes the annual economic impact of the rule on small businesses after the rule is fully implemented as described in (b). That statement must be submitted to the Indiana Economic Development Corporation (IEDC); the IEDC is required to review the rule and submit written comments to the agency not later than seven (7) days before the public hearing.

The Indiana Gaming Commission (Commission) is proposing a rule that makes a minor change to a definition and repeals some obsolete administrative procedural rules; the remainder of the substantive provisions of the proposed rule affects the supplier licensing process.

Estimated Number of Small Businesses Affected:

The substantive portions of the proposed rule apply to supplier licensees and supplier license applicants. Therefore, it is important to understand if there are any supplier licensees who are small businesses.

Under IC 4-22-2.1-4, a small business is any person, firm, corporation, limited liability company, partnership, or association that (1) is actively engaged in business in Indiana and maintains its principal place of business in Indiana; (2) is independently owned and operated; (3) employs one hundred (100) or fewer full-time employees; and (4) has gross annual receipts of five million dollars (\$5,000,000) or less.

The suppliers affected by the proposed rule do not meet the above definition of a small business: either their principal place of business is not within the geographic boundaries of Indiana or their gross annual receipts exceed \$5,000,000. Because the suppliers do not meet the statutory definition of a small business, the Commission is not adopting a rule that will impose requirements or costs on a small business. Therefore, the Commission is not required to prepare a report describing the economic impact of the rule in accordance with IC 4-22-2.1-5.

Estimated Administrative Costs Imposed on Small Businesses:

None.

Estimated Total Annual Economic Impact on Small Businesses:

None.

Justification of Requirements or Costs:

The Commission offers no justification because the proposed rule imposes no requirements or costs on small businesses.

Regulatory Flexibility Analysis:

Not applicable.

Posted: 03/31/2010 by Legislative Services Agency

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