

Economic Impact Statement

LSA Document #10-498

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 days before the public hearing.

The Indiana Gaming Commission (Commission) is proposing a rule that repeals obsolete portions of the definition of "enforcement agent"; adds ticket-in ticket-out (TITO) to the regulatory framework; amends the soft count process; amends numerous definitions; adds definitions for "manually paid jackpot" and "pouch pay jackpot"; and makes numerous technical changes.

Estimated Number of Small Businesses Affected:

The substantive portions of the proposed rule apply to casino licensees and occupational licensees (all of whom are individuals). Therefore, it is important to understand if there are any casino licensees that are small businesses.

Under IC 4-22-2.1-4 and IC 5-28-2-6, a small business means a business entity that satisfies the following requirements:

- (1) On at least fifty percent (50%) of the working days of the business entity occurring during the preceding calendar year, the business entity employed not more than one hundred fifty (150) employees.
- (2) The majority of the employees of the business entity work in Indiana.

The casinos affected by the proposed rule do not meet the above definition of a small business because their gross annual receipts exceed \$5,000,000. Because the affected casinos 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:

N/A.

Regulatory Flexibility Analysis:

N/A.

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