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**TITLE 68 INDIANA GAMING COMMISSION**

**Economic Impact Statement**

LSA Document #10-546

**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 IC 4-22-2.1-5(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) proposes a rule that concerns casino licensees or trustees that are required under IC 4-33-4-27 or IC 4-35-4-16 to withhold cash winnings from a child support obligor who is delinquent in child support.

**Estimated Number of Small Businesses Affected:**

The substantive portions of the proposed rule apply to casino licensees. Therefore, it is important to understand whether 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 is any business entity where:

- (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; and
- (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 they all employed more than 150 workers on at least 50% of the working days of the preceding calendar year. Furthermore, it is extremely unlikely that an Indiana casino will ever employ less than 150 employees on at least 50% of the working days in a year. 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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