

\*\*\* DRAFT - NOT YET FILED \*\*\*

1301:8-5-02

**Advertising.**

- (A) The word "advertisements" as used in section 4727.16 of the Revised Code shall not include storefront signs, business cards, team jerseys, or any de minimis promotional materials, such as pens, pencils, balloons, or clothing. Advertisements include all printed, published, displayed, distributed, broadcast, or internet advertising or promotion. All advertisements shall clearly identify the licensee by the business name, licensed address, and license number appearing on the license issued under Chapter 4727. of the Revised Code. A business name suffix, such as "company," "Inc.," or "LLC," is not required to appear in advertisements provided the absence of the suffix does not cause confusion with the name of any other licensee.
- (B) All internet advertising shall comply with paragraph (A) of this rule by either placing the licensee's business name, licensed address, and license number on every viewable web page of the website within the licensee's ownership and or control, or by placing the licensee's business name, licensed address, and license number on the licensee's home page and place a link to the home page on each additional web page. For purposes of this rule, a web page is one that may or may not scroll beyond the borders of the screen.
- (C) A licensee maintaining information on an internet website shall make a good-faith effort to timely update the website when the information becomes outdated or expired. Each website maintained by a licensee shall disclose the date upon which the information contained therein was most recently updated. If a licensee's website is maintained on the licensee's behalf by a third party, the licensee shall provide to the third party a timely written notice, by mail, fax or electronic means, of any updates to outdated or expired information so that such updates may be accomplished in accordance with this rule. A licensee who provides such timely notice shall not be in violation of this paragraph if the third party fails to effect a requested change as notified.
- (D) Every licensee shall maintain in each licensed location or in a central location, approved by the superintendent of financial institutions, a records file of all advertising, including newspaper, magazine, direct mailing, facsimile advertising and solicitations, roadside advertising, internet, and scripts of radio and television commercials, for a period of two years from the date last disseminated. A record or other file shall be readily available for inspection by the division of financial institutions at all times. Every licensee shall notify the division of financial institutions in writing of the location of the record or file. All licensees shall, upon the request of the superintendent, provide to the division of financial institutions any printed or electronic advertising done regarding any business conducted under

Chapter 4727. of the Revised Code.

Five Year Review (FYR) Dates:

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Certification

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Date

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