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**BULLETIN 2022-04**

**DETERMINATION OF COST PURSUANT TO R.C. 3901.213(E)**

**Effective July 21, 2022**

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The Ohio General Assembly passed Am. Sub. S.B. 256 on April 6, 2022. The Governor signed Am. Sub. S.B. 256 into law on April 21, 2022. The relevant provisions of Am. Sub. S.B. 256 take effect on July 21, 2022.

Am. Sub. S.B. 256 enacts R.C. 3901.213. R.C. 3901.213 provides “[n]othing in division (F) or (G) of [R.C.] 3901.21 or in [R.C.] 3933.01 \* \* \* shall be construed as prohibiting any of the following practices.” R.C. 3901.213 then provides a list of practices in R.C. 3901.213(A) through R.C. 3901.213(G). This list of practices includes R.C. 3901.213(E), which states:

Subject to divisions (E)(2) and (3) of this section, the offer or gifting of noncash gifts, items, or services, including providing meals to or making charitable donations on behalf of a consumer, in connection with the marketing, sale, purchase, or retention of contracts of insurance, **as long as the cost does not exceed an amount determined by the superintendent per policy year per term or calendar year.**

(Emphasis added.)

Pursuant to R.C. 3901.213(E)(1), the superintendent determines the offer or gifting of noncash gifts, items, or services, including providing meals to or making charitable donations on behalf of a consumer, in connection with the marketing, sale, purchase, or retention of contracts of insurance, must not exceed a cost of \$250 per policy year per term or calendar year. In addition, the offer or gifting must comply with all other applicable provisions of law, including R.C. 3901.213(E)(2) and (E)(3).

Nothing in this Bulletin is intended to modify or interpret R.C. 3901.214.

Superintendent of Insurance

Judith L. French  
Director