

STATE OF INDIANA  
OFFICE OF THE SECRETARY OF STATE  
SECURITIES DIVISION

IN THE MATTER OF:

ORDER NO. 01-0109 AO

FRANCHISE REGISTRATIONS  
BY NOTIFICATION.

**FILED**  
JUN 04 2001

**Order Regarding Franchise Registrations by Notification**

Comes now Bradley W. Skolnik, Securities Commissioner, and pursuant to the authority vested in him under IC 23-2-2.5, orders as follows:

1. The Indiana General Assembly amended the Indiana Franchise Act (IC 23-2-2.5), effective July 1, 2001, to establish procedures for the registration by notification of franchises offered for sale in Indiana.
2. IC 23-2-2.5-10.5 provides that any person who wants to offer for sale a franchise in Indiana (and who is not exempt) shall register the franchise by notification to the securities commissioner on a notification form prescribed by the securities commissioner. The securities commissioner hereby orders that all franchisors shall use and file the Uniform Franchise Registration Application Form to comply with the registration by notification requirements set forth under IC 23-2-2.5-10.5.
3. According to IC 23-2-2.5-18, a registration by notification may be renewed by submitting to the securities commissioner a registration renewal form no later than 30 days prior to the expiration of the registration unless the 30 day period is waived by the securities

commissioner. IC 23-2-2.5-19 provides that the registration renewal form shall be in the form and contain the content prescribed by the securities commissioner. The securities commissioner hereby orders that all franchisors shall use and file the Uniform Franchise Registration Application Form to renew registrations by notification pursuant to IC 23-2-2.5-18.

4. Pursuant to IC 23-2-2.5-10.5, IC 23-2-2.5-13 and IC 23-2-2.5-19, the following items shall be filed with the Uniform Franchise Registration Application Form:

- a) One copy of the disclosure statement required under IC 23-2-2.5-13;
- b) The consent to service of process required under IC 23-2-2.5-24, unless consent has previously been filed by the person; and,
- c) The initial registration or renewal fee required under IC 23-2-2.5-43.

5. All disclosure statements filed with the Uniform Franchise Registration Application Form shall comply with the Uniform Franchise Offering Circular (UFOC) Guidelines established by the North American Securities Administrators Association (NASAA) and the Federal Trade Commission (FTC) Franchise Rule (Disclosure Requirements and Prohibitions Concerning Franchising and Business Opportunity Ventures) found at 16 CFR 436, as amended.

6. During the one year registration period under IC 23-2-2.5-10.5, a franchisor is not required to file with the securities commissioner any supplemental information, including any amendments to the disclosure statement, unless the securities commissioner, acting under his authority to suspend or revoke a registration under IC 23-2-2.5-14, requests the information. A franchisor may, however, voluntarily elect to file an amendment to the disclosure statement at any time, in order to reflect any posteffective amendments to, or correct any perceived deficiencies or errors in, the disclosure statement filed pursuant to IC 23-2-2.5-13, upon payment of the posteffective amendment filing fee under IC 23-2-2.5-43(e).
7. This administrative order shall take effect on July 1, 2001 and shall remain in full force and effect until such time as it is modified by the securities commissioner.

APPROVED and ORDERED this 4th day of June, 2001 at Indianapolis, Indiana.



SUE ANNE GILROY  
SECRETARY OF STATE

BRADLEY W. SKOLNIK  
SECURITIES COMMISSIONER