

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 109:2-18-03

Rule Type: Amendment

Rule Title/Tagline: Training and instructor qualification.

Agency Name: Attorney General

Division: Peace Officer Training Commission

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I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?** 9/20/2022
2. **Is this rule the result of recent legislation?** Yes
 - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 110 - 134
- Oelslager
3. **What statute is this rule being promulgated under?** 111.15
4. **What statute(s) grant rule writing authority?** Sec. 701.70 of Am. Sub. HB 110 (134th General Assembly)
5. **What statute(s) does the rule implement or amplify?** 109.803, 109.73, 109.75, Sec. 701.70 of Am. Sub. HB 110 (134th General Assembly)
6. **What are the reasons for proposing the rule?**

"eOPOTA has been replaced with a new platform called "OPOTA Online"; clarify that the executive director has the discretion to award credit to officers for the time spent instructing approved training (and not just completing approved training); clarify that the executive director can preapprove a course for credit (eliminating the requirement for each agency to individually seek approval for the same class).

7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

Training and instructor qualifications.

The "eOPOTA" online learning platform has been retired. The new online training platform is called "OPOTA Online." Historically, OPOTC has allowed officers to receive CPT credit for instructing an approved class the first time they instruct the class. However, the administrative code is silent as to whether that authority exists. The change is requested to ensure past practices can continue and officers can continue to receive credit for teaching CPT in 2022. Under the existing rules, each agency must apply to have a class or training program "pre approved" to receive credit for CPT. The change is requested to reduce the administrative burden on local agencies, and allow more agencies access to quality training. If approved, this rule would allow the executive director to preapprove a course or training program and eliminate the need for 900+ agencies to individually seek approval to complete it for credit.

8. **Does the rule incorporate material by reference? No**
9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

Not Applicable

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Not Applicable

II. Fiscal Analysis

11. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

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Not Applicable.

12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

Not Applicable.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not Applicable.

III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? No

17. Does this rule have an adverse impact on business? No

A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No

B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No

C. Does this rule require specific expenditures or the report of information as a condition of compliance? No

D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

A. How many new regulatory restrictions do you propose adding?

Not Applicable

B. How many existing regulatory restrictions do you propose removing?

Not Applicable