

Rule Summary and Fiscal Analysis (Part A)**Attorney General**

Agency Name

Peace Officer Training Commission

Division

Doug Crew

Contact

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109:2-18-03

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Training and instructor qualification.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **SB281**General Assembly: **126**Sponsor: **Stivers**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **109.802**

5. Statute(s) the rule, as filed, amplifies or implements: **109.73, 109.75, 109.802, 109.803**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

It is the Ohio Attorney General's intent that this rule provide a framework for implementation of the continuing professional training program enacted by SB 281 of the 126th General Assembly.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE,

then summarize the content of the rule:

This rule outlines the minimum training and instructor qualifications for the continuing professional training program. In addition, the continuing professional training shall be conducted in a program that is approved by the Executive Director of OPOTA and shall address matters directly related to the duties and responsibilities of a peace officer or trooper. The rule also states that the training shall serve a recognized law enforcement purpose and the primary objective of the training shall be to improve a participant's competence as a peace officer or trooper. The rule also states that individuals who are commission-certified and who have allowed such certification to lapse are not qualified to teach continuing professional training. In addition, the rule states that continuing professional training does not include annual in-service firearms requalification nor does it include any form of training received elsewhere mandated for peace officers by the General Assembly or the Attorney General.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

Not Applicable.

12. 119.032 Rule Review Date:

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

Zero

This rule will have no impact on the Attorney General's budget.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

N/A

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

N/A

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**

