

Rule Summary and Fiscal Analysis (Part A)**Development Services Agency**

Agency Name

Division

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122:22-1-06

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Fees.**RULE SUMMARY**

1. Is the rule being filed for five year review (FYR)? **Yes**
2. Are you proposing this rule as a result of recent legislation? **No**
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: **5725.33(E)**
5. Statute(s) the rule, as filed, amplifies or implements: **5725.33, 5729.16, 5733.58**
6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

The rule is required to be reviewed consistent with five-year rule review. Fees for the Ohio New Markets Tax Credit Program have historically been set using a program policy document established annually by the Director # the fees will now be set by rule. The amount of fees charged is not changing.
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:

The rule establishes the fee structure for the program in the Administrative Code as opposed to being set annually based on a schedule of fees approved by the Director. The fee structure itself is not changing from the currently established policy. The fee structure for this voluntary program is set as follows # a \$1,500 application fee, a \$17,500 servicing fee for applicants who receive an award, and a \$100 QALICB determination fee for participants in the program.

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. If applicable, indicate each specific paragraph of the rule that has been modified:

Not Applicable.

12. Five Year Review (FYR) Date: **10/6/2016**

(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.

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The rule change will not result in any change to revenues received by the agency, as the fee structure is not being changed. The fee structure will now be set by rule as opposed to a schedule adopted annually by the Director per the program policies.

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

Fund: 4510

ALI: 195-649

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:

The cost of participating in this voluntary program is the proposed fee structure # a \$1,500 application fee, a \$17,500 servicing fee for applicants who receive an award, and a \$100 QALICB determination fee for participants in the program

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**

S.B. 2 (129th General Assembly) Questions

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **No**

19. Specific to this rule, answer the following:

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**