

Rule Summary and Fiscal Analysis (Part A)**Department of Aging**

Agency Name

Division

Tom Simmons

Contact

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173-35-02

Rule Number

RESCISSION

TYPE of rule filing

Rule Title/Tag Line

Definitions.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

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

Bill Number: **HB119**General Assembly: **127**Sponsor: **Dolan**

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: **173.02, 173.35**

5. Statute(s) the rule, as filed, amplifies or implements: **173.35, 173.351**

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

This rule is being proposed for rescission as part of a five-year rule review performed pursuant to section 119.032 of the Revised Code and because most of the rules of Chapter 173-35 of the Administrative Code are undergoing change as a result of language in Am. Sub. H. B. No. 119 (127th G. A.). This content of this rule and the content of rule 173-35-01 of the Administrative Code are being proposed to be replaced by proposed new rule 173-35-01 of the Administrative Code.

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 that is being proposed for rescission contains the definitions for Chapter 173-35 of the Administrative Code. ODA is simultaneously proposing to include the definitions for Chapter 173-35 of the Administrative Code into proposed new rule 173-35-01 of the Administrative Code.

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:

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

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

On October 16, 2007, this rule proposed for rescission was revised-filed, but the rule was not revised. Instead, the content of the RSFA was made more complete.

12. 119.032 Rule Review Date: **10/15/2007**

(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.

\$0.00

ODA does not anticipate that the proposed rescission of this rule will have an impact upon the biennial budget for ODA established by the General Assembly.

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

GRF-490-412 Residential State Supplement.

4J4-490-610 PASSPORT/Residential State Supplement.

3C4-490-607 PASSPORT.

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:

Because this rule that is being proposed for rescission merely provides definitions for Chapter 173-35 of the Administrative Code, ODA does not estimate that there will be any cost of compliance to any directly affected persons associated with the rescission of this rule, especially since ODA is simultaneously proposing to include the definitions in proposed new rule 173-35-01 of the Administrative Code.

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**