

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

Agency Name

Division

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4501:3-4-01

Rule Number

RESCISSION

TYPE of rule filing

Rule Title/Tag Line

Emergency management funding.**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? **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: **R.C. 5502.25**

5. Statute(s) the rule, as filed, amplifies or implements: **R.C. 5502.22**

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

This filing is based on a R.C. 119.032, five-year review of Rule 4501:3-4-01 of the Ohio Administrative Code. To update Rule 4501:3-4-01, it is being proposed for rescission and simultaneously a new updated version of the rule (same title and number) is being proposed for adoption. The federal law cited is no longer the correct reference.

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 entitled "Emergency management funding" provides requirements for the executive director of the Ohio emergency management agency and each local emergency management agency with regard to federal and state funding in support of local emergency management agencies. A proposed change (as set forth in proposed new rule 4501:3-4-01) updates the existing rule by deleting reference to "The Robert T. Stafford Disaster Relief and Emergency Assistance Act" which is no longer the statutory authority for federal emergency management funding. For consistency within the rule, in the new version the word "will" has been deleted and replaced with "shall," and reference to "emergency management" has been deleted and replaced with "the Ohio Emergency management agency."

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 rule is being proposed for rescission and while it references the United States Code, incorporation by reference of such information is excepted by section 121.75 of the Revised Code from the requirements set forth in R.C. 121.71 to R.C. 121.74. Further, this information is available to local emergency management agency representatives and the public online and via depository libraries located throughout the state.

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 rule is being proposed for rescission and while it references the United States Code, incorporation by reference of such information is excepted by section 121.75 of the Revised Code from the requirements set forth in R.C. 121.71 to R.C. 121.74. Further, this information is available to local emergency management agency representatives and the public online and via depository libraries located throughout the state.

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 rule is being proposed for rescission and while it references the United States Code, incorporation by reference of such information is excepted by section 121.75

of the Revised Code from the requirements set forth in R.C. 121.71 to R.C. 121.74. Further, this information is available to local emergency management agency representatives and the public online and via depository libraries located throughout the state.

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: **8/30/2006**

(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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We do not anticipate that this rule filing will affect the agency budget.

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

Not applicable

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:

We do not expect this rule filing to increase the cost of compliance.

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**