

4723-1-05

**Notice of adoption, amendment, or rescission of rules.**

- (A) The board shall give public notice of its intention to adopt, amend, or rescind any rule ~~in accordance with~~according to Chapter 119. of the Revised Code at least thirty days prior to the date set for the public hearing on the proposal to adopt, amend, or rescind such rule. The public notice shall be published in the register of Ohio and any other publications required by Chapter 119. of the Revised Code. The public notice shall include the following information:
- (1) A statement of the board's intention to adopt, amend, or rescind the rule;
  - (2) A synopsis of the proposed rule, amendment, or rule to be rescinded, or a general statement regarding the subject matter of the rule to be adopted, amended, or rescinded;
  - (3) A statement of the reason or purpose for the adoption, amendment, or rescission of the rule;
  - (4) The date, time, and place of the public hearing at which the adoption, amendment, or rescission of the rule will be considered.
- (B) The proposed rule, amendment, or rescission shall be made available by the board, ~~in accordance with~~according to division (B) of section 119.03 of the Revised Code, to those persons affected by the rule, amendment, or rescission for at least thirty days prior to the date of the public hearing at the board offices in printed or other legible form at no charge. The board may also provide the proposed rule, amendment, or rescission:
- (1) By postal or electronic mail to those persons included on a mailing list maintained by the board ~~in accordance with~~according to paragraph (D) of this rule;
  - (2) By a link on the board's web site;
  - (3) In any other manner the board considers appropriate.
- (C) Prior to the effective date of a rule, amendment, or rescission the board, ~~in accordance with~~according to division (E) of section 119.03 of the Revised Code, shall make a reasonable effort to inform persons affected by the rule, amendment, or rescission, and to have available for distribution to those requesting it, the full text of the rule as adopted or amended. The board may provide the full text by such means as:

- (1) Posting the rule as adopted or amended on the board's web site or providing a link to the register of Ohio;
  - (2) Publishing the rules in the board's quarterly magazine or other board publication;
  - (3) Sending a notice of the action by postal or electronic mail to those persons included on a mailing list maintained by the board pursuant to paragraph (D) of this rule, or to any person who provided evidence, oral testimony, or a written statement that was made part of the record of the public hearing.
- (D) The board may maintain a mailing list of all persons who have made a prior written request to receive a copy of ~~each public notice provided for~~ notices discussed in paragraph (A) of this rule.
- (E) The board may assess a reasonable fee not to exceed the cost of copying and mailing, for notices sent by means other than electronic mail ~~in accordance with~~ according to the provisions of this rule.

Effective:

R.C. 119.032 review dates: 10/11/2012

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 121.22, 4723.07  
Rule Amplifies: 4723.06, 4723.07  
Prior Effective Dates: 03/01/1966, 01/01/1971, 08/01/1983, 11/06/1987,  
04/01/1991, 12/01/1993, 08/08/1994, 02/01/2001,  
02/01/2002, 02/11/2008