

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:1-1-50

Rule Type: New

Rule Title/Tagline: Written declaration of citizenship/alien status and the use of the systematic alien verification for entitlements system.

Agency Name: Department of Job and Family Services

Division: Division of Public Assistance

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I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?**
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 5107.05
5. **What statute(s) does the rule implement or amplify?** 5107.05
6. **What are the reasons for proposing the rule?**

This rule is being proposed to replace rescinded rule 5101:1-1-50 in accordance with the five year rule review because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added.

7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule describes the policy regarding written declaration for citizenship/alien status and the use of the Systematic Alien Verification for Entitlements System (SAVE) of noncitizens who apply for the Ohio Works First; Prevention, Retention and Contingency; and Refugee Cash Assistance programs. The Office of Family Assistance (OFA) has rescinded and replaced this rule a new rule as more than 50 percent of the language has been stricken. The rule has been reorganized to improve clarity. Changes to the rule include:

â€¢ Language in paragraph (A) referring to forms JFS 7200 and JFS 7204 was stricken and replaced with the term "application" in accordance with rule 5101:1-2-01 of the Administrative Code;

â€¢ The term "reapplication" was replaced with "recertification" in order to align with rule 5101:1-2-10 of the Administrative Code;

â€¢ Paragraph (B)(1)(a)(ii) removed the word "seven" in order to align with the definition of A-number as defined by the U.S. Citizenship and Immigration Services;

â€¢ Paragraph (C) was stricken and combined with paragraph (D);

â€¢ New paragraph (C) defines the SAVE system;

â€¢ New paragraph (D) has been modified to identify methods of verifying documents;

â€¢ Former paragraph (D)(3) was stricken and moved to new paragraph (E) to improve clarity;

â€¢ New paragraph (F) was updated to reflect the manual process to be used for extraordinary circumstances in verifying an individual's immigration status; and

â€¢ Minor language changes to improve clarity.

- 8. Does the rule incorporate material by reference? Yes**
- 9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.**

This rule incorporates one or more references to another rule or rules of the Ohio Administrative Code. This question is not applicable to any incorporation by reference to another OAC rule because such reference is exempt from compliance with RC 121.71 to 121.74 pursuant to RC 121.76(A)(3).

This rule incorporates one or more dated references to a federal act or acts. This question is not applicable to any dated incorporation by reference to a federal act because such reference is exempt from compliance with RC 121.71 to 121.74 in accordance with RC 121.75 (C).

This rule incorporates one or more dated references to a federal form or forms. Each cited federal form is dated and is generally available to persons affected by this rule via <http://www.uscis.gov/forms>.

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Not Applicable

II. Fiscal Analysis

11. **As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will have no impact on revenues or expenditures.

\$0.00

This rule has no expected fiscal impact on current or future budgets.

12. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

No new costs.

13. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

14. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

III. Common Sense Initiative (CSI) Questions

15. **Was this rule filed with the Common Sense Initiative Office? No**

16. **Does this rule have an adverse impact on business? No**

- 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**