

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:4-2-03

Rule Type: Amendment

Rule Title/Tagline: Food assistance: assistance group definitions.

Agency Name: Department of Job and Family Services

Division: Division of Food Stamps

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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?** 8/1/2020
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 111.15
4. **What statute(s) grant rule writing authority?** 5101.54
5. **What statute(s) does the rule implement or amplify?** 329.04, 329.042, 5101.54
6. **What are the reasons for proposing the rule?**

This rule is being amended to implement the Agricultural Act of 2014 (2014 "Farm Bill") final regulations issued by the United States Department of Agriculture, Food and Nutrition Service (FNS).

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

5101:4-2-03: "Food Assistance: assistance group definitions."

This rule describes the process determining an assistance group and who should be included in the assistance group. OFA proposes to amend this rule. Changes to the rule include:

Paragraph (D)(7) was added outlining that an individual is ineligible to be included in the assistance group who is determined to be convicted under Federal or State law of a drug-related offense which is classified as a felony and has an element of possession, use or distribution of a controlled substance; and

Paragraph (D)(8) was added outlining that an individual is ineligible be included in the assistance group if he/she declare to be convicted of an out of compliance with their sentence for certain crimes occurring on or after February 7, 2014.

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 dated references to the United States Code (USC). This question is not applicable to any dated incorporation by reference to the USC because such reference is exempt from compliance with RC 121.71 to 121.74 in accordance with RC 121.75(A).

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 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).

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