

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 5120-12-01

**Rule Type:** Amendment

**Rule Title/Tagline:** Establishment of a transitional control program and minimum criteria defining eligibility.

**Agency Name:** Department of Rehabilitation and Correction

**Division:**

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#### I. Rule Summary

1. Is this a five year rule review? Yes
  - A. What is the rule's five year review date? 12/30/2020
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? 5120.01, 2967.26
5. What statute(s) does the rule implement or amplify? 2967.26
6. What are the reasons for proposing the rule?

This rule establishes the transitional control program and sets forth eligibility criteria for the program.

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

This rule contains the goals, general guidelines, and eligibility criteria for the transitional control program. The proposed changes to this rule include: clarifying that the bureau of community sanctions oversees community transitional housing

programs and adding these programs to the definition of licensed facility; clarifying the definition of "county in which prisoner was sentenced" by moving the details of the population for which the court may disapprove transitional control to F5; clarifying that the division of parole and community services includes the parole board but not the bureau of adult detention; clarifying who may add special conditions of supervision; clarifying that transitional control prisoners are confined in a licensed facility or an approved residence on electronic monitoring; removing the description of criteria in (F) as "minimum" criteria as these criteria expand upon the minimum statutory criteria; adding that in order to be eligible for the program, a prisoner may not have any juvenile adjudications for a violation of any sex offense, excluding solicitation or prostitution, or any juvenile adjudications for arson or aggravated arson.

8. Does the rule incorporate material by reference? No
9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.

*Not Applicable*

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. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.

This will have no impact on revenues or expenditures.

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Not Applicable.

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

Not Applicable.

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
15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not Applicable.

### **III. Common Sense Initiative (CSI) Questions**

16. Was this rule filed with the Common Sense Initiative Office? No
17. 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
  - D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

### **IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))**

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No
  - A. How many new regulatory restrictions do you propose adding?

Not Applicable
  - B. How many existing regulatory restrictions do you propose removing?

Not Applicable

