

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5120-15-01
Rule Type: Amendment
Rule Title/Tagline: Certification of qualification for employment.
Agency Name: Department of Rehabilitation and Correction
Division:
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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?** 2/18/2018
2. **Is this rule the result of recent legislation?** Yes
 - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 49 - 132 - Smith, R.
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 2953.25
5. **What statute(s) does the rule implement or amplify?** 2953.25
6. **What are the reasons for proposing the rule?**

This rule is being proposed pursuant to new legislation under R.C. 2953.25. The new legislation clarifies the process for filing a petition for a certificate of qualification of employment based on whether the individual lives inside or outside of the state, allows the department of rehabilitation and correction to establish criteria to allow for early applications for a certificate of qualification for employment, and changes the information that the petition shall include from the name or type of each collateral sanction for which the individual is requesting a certificate of qualification

for employment to a general statement as to why the individual has filed the petition and how the certificate would assist the individual. The changes further require the department of rehabilitation and correction to review the certificates to identify those subject to revocation, maintain a database of granted and revoked certificates, and create a report summarizing the database information and make it available on its internet web site.

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

This rule details the procedures for applying for a certificate of qualification of employment, the eligibility criteria for the certificate, and the department of rehabilitation and correction's role in the certificate process. The rule's changes clarify the process for filing a petition for a certificate of qualification of employment based on whether the individual lives inside or outside of the state, establish criteria to allow for early applications for a certificate of qualification for employment, and change the information that the petition shall include from the name or type of each collateral sanction for which the individual is requesting a certificate of qualification for employment to a general statement as to why the individual has filed the petition and how the certificate would assist the individual. The changes further require the department of rehabilitation and correction to review the certificates to identify those subject to revocation, maintain a database of granted and revoked certificates, and create a report summarizing the database information and make it available on its internet web site.

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. 121.71 to 121.76, 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.

Re-filing rule after receiving comments at public hearing.

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.

Not applicable.

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**

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