

**Rule Summary and Fiscal Analysis (Part A)****Attorney General**

Agency Name

**Peace Officer Training Commission**

Division

**Doug Crew**

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**109:2-18-04**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Reimbursement of training costs.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **SB281**General Assembly: **126**Sponsor: **Stivers**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **109.802**

5. Statute(s) the rule, as filed, amplifies or implements: **109.73, 109.75, 109.802, 109.803**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

It is the Ohio Attorney General's intent that this rule provide a framework for implementation of the continuing professional training program as enacted by SB 281 of the 126th General Assembly.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE,

then summarize the content of the rule:

This rule outlines the procedure for the reimbursement of training costs for public appointing authorities. The rule lists the standards that are needed in order to qualify for reimbursement and also states that failure to report compliance with the continuing professional training requirements will result in a forfeiture of the appointed authority's eligibility for reimbursement. The rule also states that each public appointing authority that receives funds under the continuing professional training program shall keep those funds separate from any other funds and shall use those funds only for applying the cost of continuing professional training programs.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

*Not Applicable.*

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

*Not Applicable.*

12. 119.032 Rule Review Date:

(If the rule is not exempt and you answered NO to question No. 1, provide the

scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

### **FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase/decrease** either **revenues /expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will increase expenditures.

\$2.5 million

The Attorney General expects the continuing professional training program to increase expenditures by roughly \$2.5 million. This increase is attributable to a combination of start up expenses and training reimbursement from the GRF.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Fund 5L5-appropriation line item 055-619

Fund 402-appropriation line item 055-616

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

The cost of compliance with the continuing professional training requirements will vary by appointing authority. There are 984 agencies in the State that appoint peace officers and Ohio State Highway Patrol Troopers and while the training requirement is the same for each, the cost of compliance will necessarily be different for each. However, the Attorney General will reimburse each public appointing authority \$20.00 per officer, per hour to off-set the cost of training.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **Yes**

You must complete Part B of the Rule Summary and Fiscal Analysis in order to comply with Am. Sub. S.B. 33 of the 120th General Assembly.

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**

**Rule Summary and Fiscal Analysis (Part B)**

1. Does the Proposed rule have a fiscal effect on any of the following?

(a) School Districts	(b) Counties	(c) Townships	(d) Municipal Corporations
No	Yes	Yes	Yes

2. Please provide an estimate in dollars of the cost of compliance with the proposed rule for school districts, counties, townships, or municipal corporations. If you are unable to provide an estimate in dollars, please provide a written explanation of why it is not possible to provide such an estimate.

The cost of compliance with the continuing professional training requirements will vary by appointing authority. There are 984 agencies in the State that appoint peace officers and State Highway Patrol Troopers. While the training requirement is the same for each, the cost of compliance will necessarily be different for each. However, and as delineated in the proposed rules, the Attorney General's Office will reimburse each public appointing authority \$20.00 per officer, per hour to off-set the cost of the training.

3. If the proposed rule is the result of a federal requirement, does the proposed rule exceed the scope and intent of the federal requirement? *Not Answered*

4. If the proposed rule exceeds the minimum necessary federal requirement, please provide an estimate of, and justification for, the excess costs that exceed the cost of the federal requirement. In particular, please provide an estimate of the excess costs that exceed the cost of the federal requirement for (a) school districts, (b) counties, (c) townships, and (d) municipal corporations.

*Not Applicable.*

5. Please provide a comprehensive cost estimate for the proposed rule that includes the procedure and method used for calculating the cost of compliance. This comprehensive cost estimate should identify all of the major cost categories including, but not limited to, (a) personnel costs, (b) new equipment or other capital costs, (c) operating costs, and (d) any indirect central service costs.

The Attorney General's Office anticipates that it will incur approximately \$250,000 in start-up costs, the bulk of which is attributable to the development of an on-line

computer application by which agencies will track and report compliance. As to personal costs, it is the Attorney General's belief that the Ohio Peace Officer Training Academy can absorb the additional work load without the need to increase staffing levels. As to actual costs of reimbursement, this will vary by year, depending on the number of hours of training mandated by the Ohio Peace Officer Training Commission. The Attorney General's Office expects the continuing professional training program to increase expenditures by roughly \$2.5 million in fiscal year 2008.

(a) Personnel Costs

Minimal

(b) New Equipment or Other Capital Costs

Zero

(c) Operating Costs

\$250,000

(d) Any Indirect Central Service Costs

Zero

(e) Other Costs

\$2.5 million

6. Please provide a written explanation of the agency's and the local government's ability to pay for the new requirements imposed by the proposed rule.

Per SB 281/R.C. 109.802, the Attorney General has endowed the Law Enforcement Assistance Fund with \$5 million to fund the GRF portion of the continuing professional training program for calendar years 2007 and 2008. Additionally, the Ohio Peace Officer Training Commission has secured a \$3 million grant from the State Victims Assistance Act Board to fund the balance of reimbursements for calendar year 2007. As to the individual appointing agencies, the Attorney General will reimburse each public appointing authority \$20.00 per officer, per hour to

off-set the cost of the training.

7. Please provide a statement on the proposed rule's impact on economic development.

Not Applicable.