

Rule Summary and Fiscal Analysis (Part A)**Department of Aging**

Agency Name

Division

Tom Simmons

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173-1-02

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Public hearing notices for rule proposals.**RULE SUMMARY**1. Is the rule being filed for five year review (FYR)? **Yes**2. Are you proposing this rule as a result of recent legislation? **No**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: **173.02**5. Statute(s) the rule, as filed, amplifies or implements: **119.03**

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

ODA is filing this rule to comply with the requirements to review every rule at least once every five years.

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 proposed new rule restates division (A) of section 119.03 of the Revised Code regarding public hearing notices. The rule also says that ODA shall provide a copy of the notice to a person who is affected by rule proposal free of charge, whether electronically or by hard copy. It also says that ODA shall provide an electronic copy of the notice, free of charge, to any person not affected by the rule, but may require such a person to pay for the costs of distributing a hard copy of the notice.

Other state agencies have adopted comparable rules that restate section 119.03 of the Revised Code. (E.g., the Ohio Attorney General's rule 109-1-01 of the Administrative Code, the Ohio Secretary of State's rule 111-7-01 of the Administrative Code, and the Ohio Department of Developmental Service's rule 122-1-01 of the Administrative Code.)

ODA's proposed amendments to this rule involve spelling out "Ohio department of aging" before using the acronym "ODA," replacing some occurrences of the pronoun "it" with "ODA," and replacing semi-colons with periods.

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. If applicable, indicate each

specific paragraph of the rule that has been modified:

On October 1, ODA revised the rule to replace "request" in paragraph (B) of the rule with "requests."

12. Five Year Review (FYR) Date: 9/24/2014

(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 have no impact on revenues or expenditures.

\$0.00

ODA estimates that the proposed amendment of this rule would have no impact upon the biennial budget that the Ohio General Assembly established for ODA.

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

GRF-490-321 Operating expenses.

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:

ODA estimates that no directly-affected person would be affected by the adoption of the amendments that ODA is proposing for this rule.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

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

S.B. 2 (129th General Assembly) Questions

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **No**

19. Specific to this rule, answer the following:

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**