

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5120-9-08

Rule Type: Amendment

Rule Title/Tagline: Disciplinary procedures for violations of inmate rules of conduct before the rules infraction board.

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? 10/3/2019
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
5. What statute(s) does the rule implement or amplify? 5120.05
6. What are the reasons for proposing the rule?

This rule is subject to the five year review.

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

This rule governs the procedures employed before the rules infraction board for determining violations of the inmate rules of conduct and related appeals and documentation. This rule is being amended to reflect changes in restrictive housing and changes related to the serious misconduct panel. An addition is made to

incorporate S.B. 201, 2967.271. The changes also provide for an appeal of the rules infraction board decision to Chief Legal Counsel or designee. Additional changes are being made to improve clarity of language and processes.

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.

None.

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**