

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5120:2-1-01

Rule Type: Rescission

Rule Title/Tagline: Notice procedure.

Agency Name: Department of Rehabilitation and Correction

Division: Notice Procedure

Address: 4545 Fisher Road Suite D Columbus OH 43228

Contact: Ashley E. Parriman **Phone:** (614) 752-1769

Email: Ashley.Parriman@odrc.state.oh.us

I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 10/24/2023
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? None.
5. What statute(s) does the rule implement or amplify? None.
6. Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires? No
 - A. If so, what is the citation to the federal law or rule? Not Applicable
7. What are the reasons for proposing the rule?

This rule sets forth procedure for public notice of changes to rules under Chapter 119.
8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

This rule sets forth procedure for public notice of changes to rules under Chapter 119. This rule is being rescinded as it is unnecessary and does not have an authorizing statute.

9. **Does the rule incorporate material by reference?** No
10. **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

11. **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

12. **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.

0

Not Applicable.

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

Not Applicable.

14. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

15. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

16. **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

17. Was this rule filed with the Common Sense Initiative Office? No
18. 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 Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).

19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes
- A. How many new regulatory restrictions do you propose adding to this rule? 0
 - B. How many existing regulatory restrictions do you propose removing from this rule? 5

The procedure of the department of rehabilitation and correction for giving public notice relative to the adoption, amendment or rescission of rules under Chapter 119. of the Revised Code shall be:

(A) The department shall cause a statement of its intention to consider adopting, amending or rescinding a rule, a brief synopsis or a general statement of said proposed rule for adoption, amendment or rescission, a statement of the reason or purpose for adopting, amending or rescinding the rule, and the date, time and place of hearing on the proposed action, to be published in the register of Ohio no less than thirty days prior to the hearing.

the failure to give notice by any means other than as required by Chapter 119. of the Revised Code shall not in any way invalidate any action taken by the department.

Such requests shall be responded to promptly

(C) The department shall furnish a legible copy of the text of the proposed rule to be adopted, amended or rescinded and any accompanying rule summary and fiscal analysis to any person upon request.

- C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**
- D. Please justify the adoption of the new regulatory restriction(s).**

Not Applicable