



## Ohio Revised Code

### Section 106.032 Authority of chairperson to submit rule for review.

Effective: August 18, 2019

Legislation: Senate Bill 221 - 132nd General Assembly

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If the chairperson of the joint committee on agency rule review becomes aware that an existing rule has had or is having an unintended or unexpected effect on businesses that is not reasonably within the express or implied scope of the statute under which the existing rule purportedly was adopted, the chairperson may move that the joint committee order the agency that is administering the existing rule to submit the existing rule for review under section 106.031 of the Revised Code, the same as if the agency had made a determination with regard to the existing rule under division (B)(2) of section 106.03 of the Revised Code. The joint committee may adopt the motion by vote of a majority of its members. The joint committee shall not adopt a motion under this paragraph for a rule if the joint committee previously has adopted a motion under this paragraph for the same rule within the immediately preceding five-year period.

The joint committee shall prepare the order in writing, and shall transmit the order electronically to the agency. The joint committee also shall transmit a copy of the order electronically to the director of the legislative service commission and to the common sense initiative office. The joint committee shall indicate in the order the date on which the order is transmitted. The director shall publish the order in the register of Ohio.

Upon receiving the order, the agency shall comply with the order as soon as reasonably possible, but shall commence compliance with the order not later than thirty days after the date on which the order was transmitted.

When an agency complies with the order, proceedings are to be had with regard to the existing rule under section 106.031 of the Revised Code, the same as if the agency had made a determination with regard to the existing rule under division (B)(2) of section 106.03 of the Revised Code. In addition to the standards of review stated in division (E) of section 106.031 of the Revised Code, the joint committee may recommend to the senate and house of representatives the adoption of a concurrent resolution invalidating the existing rule if the joint committee finds that the existing rule has an unintended or unexpected effect on businesses that is not reasonably within the express or implied



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scope of the statute under which the agency purportedly adopted the existing rule.