



Ohio Administrative Code Rule 103-3-02 Rule drafting manual.

Effective: September 24, 2015

The director of the legislative service commission, considering the objectives of codification and the principles of better legal drafting, shall prepare and publish a rule drafting manual that states standards to be followed by an agency in drafting a rule that is to be codified into the Administrative Code. The director, considering the objectives of codification and the principles of better legal drafting, shall revise the rule drafting manual and publish a new edition as need for improvement of the rule drafting manual becomes apparent.

The director shall do all the following in the rule drafting manual:

(A) Devise and explain the rule numbering system according to which an agency is to codify a rule into the Administrative Code;

(B) Restate and explain the standards according to which the director, under paragraph (F) of rule 103-3-01 of the Administrative Code, determines whether to include the full text of, or only a reference to, a rule in the Administrative Code;

(C) Prescribe, explain, and illustrate how an agency formally is to structure a rule, including the rule number, the subject matter heading, the principal text, any appendices, and the supplemental information;

(D) Prescribe, explain, and illustrate the supplemental information an agency is to attach to a rule, including information with respect to the history of the rule; a certification that the rule has been lawfully adopted; and the effective date, expiration date, and periodic five-year review date of the rule;

(E) Prescribe, explain, and illustrate the standard techniques by which an agency is to draft an amendment to an existing rule, an enactment of a new rule, and a rescission of an existing rule, and prescribe, explain, and illustrate special techniques of rule drafting, such as renumbering a rule and



rescinding and reenacting a rule;

(F) Prescribe, explain, and illustrate the techniques by which an agency is to draft an amendment to an existing appendix of a rule, an addition of a new appendix to a rule, and a removal of an existing appendix from a rule;

(G) Prescribe standards of style, other than those commonly known from principles of formal writing, an agency specially is to apply in drafting the text of a rule that is to be codified into the Administrative Code;

(H) Prescribe, explain, and illustrate the format in which an agency is to file a rule for codification into the Administrative Code;

(I) Explain how the director discharges the director's duty under paragraphs (C) and (D) of rule 103-3-01 of the Administrative Code to ensure that a rule is numbered in conformity with the rule numbering system devised and explained in the rule drafting manual;

(J) Explain how the director discharges the director's duty under paragraphs (C) and (E) of rule 103-3-01 of the Administrative Code to ensure that a rule complies with the standards stated in the rule drafting manual, and explain an agency's obligation to conform a rule to the standards stated in the rule drafting manual under section 111.15 or 119.04 of the Revised Code; and

(K) Prescribe, explain, and illustrate any other matter the director considers necessary and proper to ensure uniformity in the text of rules that are codified into the Administrative Code and maintenance of the Administrative Code rule numbering system.

In preparing phases of the rule drafting manual under paragraph (G) of this rule, the director shall take account of the Ohio Uniform Statutory Construction Act, sections 1.41 to 1.59 of the Revised Code, insofar as it applies to rules under section 1.41 of the Revised Code, and, by analogy to section 1.31 of the Revised Code and the policies it reflects, shall encourage agencies to draft rules using gender neutral language.