

Joint Committee on Agency Rule Review				Main Operating Appropriations Bill H.B. 96			
Executive		As Passed By House		As Passed By Senate		As Reported By Conference Committee	
JCRCD3	Restatement of principle of law or policy in rule						
		R.C.	101.352, 121.93, 121.931	R.C.	101.352, 121.93, 121.931	R.C.	101.352, 121.93, 121.931
No provision.			Reduces, from 6 months to 3 months, the time in which an agency must begin the rule making process when the agency identifies a principle of law or policy that should be restated as a rule or is informed of such a principle or policy through a recommendation from JCARR.		Same as the House.		Same as the House.
No provision.			Prohibits an agency that is in the process of adopting a rule restating a principle of law or policy from relying on the principle or policy while making the rule if either of the apply:		Same as the House.		Same as the House.
No provision.			(1) The agency fails to file the rule in final form within one year after it determines rule-making is necessary or within one year after receiving a written recommendation from JCARR.		(1) Same as the House.		(1) Same as the House.
No provision.			(2) The agency notifies JCARR of the agency's intention to file a revised proposed rule.		(2) Same as the House.		(2) Same as the House.
			Fiscal effect: Minimal.		Fiscal effect: Same as the House.		Fiscal effect: Same as the House.

Executive

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JCRCD8	Proposed rules and revised proposed rules			R.C. 106.02, 106.021, 106.024, 106.025, 106.26, 106.023, 106.031, 106.033, 111.15, and 119.03
No provision.	No provision.	No provision.	Allows JCARR to request a designee of an agency to appear before JCARR to answer questions when JCARR determines that a rule summary and fiscal analysis (RSFA) for a proposed rule or revised proposed rule filed by the agency indicates any of the following:	
No provision.	No provision.	No provision.	(1) The rule will increase the agency's expenditures during the current biennium by \$100,000 or more.	
No provision.	No provision.	No provision.	(2) The cost to comply with the rule for a directly affected person will be \$100,000 or more.	
No provision.	No provision.	No provision.	(3) The rule will impose an annual effect on Ohio's economy of \$1,000,000 or more.	
No provision.	No provision.	No provision.	Requires the JCARR Executive Director to inform members of the General Assembly and include all documentation submitted to JCARR in the agency's original rule filing with the notice when the rule's RSFA indicates the rule may have one of the effects listed above.	

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No provision.	No provision.	No provision.	Allows, subject to the prohibition described below, JCARR to take any of the following actions after an agency designee appears to answer questions about a proposed rule or revised proposed rule described above: (1) Allow the time for legislative review to expire (thus, permitting the agency to adopt the rule); (2) Recommend the adoption of a concurrent resolution to invalidate the rule or a part thereof; or (3) Refer the rule for consideration by the full General Assembly.
No provision.	No provision.	No provision.	Prohibits JCARR from recommending an invalidating resolution for the reasons described above, or referring the rule to the General Assembly, when the rule is based on specific statutory language authorizing or requiring the agency to adopt the rule, rather than a general grant of rule making authority.
No provision.	No provision.	No provision.	Requires the General Assembly to enact a bill approving the adoption of a rule referred to it by JCARR under the amendment before the rule can take effect.
No provision.	No provision.	No provision.	Invalidates a rule and prohibits the adopting agency from enforcing the rule or relying on a principle of law or policy stated in the rule if the agency fails to perform a review of the rule required under continuing law for one year after the rule's assigned review date.

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No provision.	No provision.	No provision.	Requires JCARR, in the RSFA designed by JCARR, to solicit an explanation of a rule's rescission, including a statement as to whether the agency intends to continue relying on a principle of law or policy stated in the rescinded rule. <b>Fiscal effect: Minimal.</b>
JCRCDS	Recommendation of invalidating resolution		
		R.C. 106.021	R.C. 106.021
No provision.	No provision.	Allows JCARR to recommend to the General Assembly the adoption of a concurrent resolution to invalidate a proposed rule or revised proposed rule when both of the following apply:	Same as the Senate.
No provision.	No provision.	(1) The agency proposing the rule or revised rule is subject to a continuing law requirement to reduce regulatory restrictions.	(1) Same as the Senate.
No provision.	No provision.	(2) The proposed rule or revised proposed rule removes or replaces "shall," "must," "require," "shall not," "may not," "prohibit," or similar words but does not remove a regulatory restriction as defined by the amendment. <b>Fiscal effect: Minimal.</b>	(2) Same as the Senate.  <b>Fiscal effect: Same as the Senate.</b>

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JCRCD4     Reporting on regulatory restriction reductions			
		R.C.     121.95, 121.951, Section 701.120	R.C.     121.95, 121.951, Section 701.120
No provision.	No provision.	Requires, not later than November 30, 2025, a state agency that must identify and reduce regulatory restrictions to prepare a report that does both of the following: (1) identifies the number of regulatory restrictions the agency actually eliminated or reduced, and (2) identifies the number of times the agency removed or replaced "shall," "must," "require," "shall not," "may not," "prohibit," or similar words in a portion of a rule and reported the removal or replacement as eliminating or reducing a regulatory restriction.	No provision.
No provision.	No provision.	Requires such a state agency to transmit the report required by the amendment to JCARR for review and transmittal to the Speaker of the House and Senate President.	No provision.
No provision.	No provision.	Does both of the following with respect to a continuing law requirement that specified state agencies identify and reduce regulatory restrictions in rules adopted by the agencies: (1) defines "regulatory restriction" as "any part of a rule that requires or prohibits an action," and (2) specifies that removing or replacing "shall," "must," "require," "shall not," "may not," "prohibit," or similar words in a portion of a rule does not eliminate a regulatory restriction unless the removal eliminates a requirement or prohibition from the rule.	Same as the Senate.
Legislative Budget Office			Office of Research and Drafting
LSC   5			

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		Fiscal effect: Minimal.	Fiscal effect: Same as the Senate.
JCRCD7	Administrative rules containing regulatory restrictions		
		R.C. 121.951, 121.953	R.C. 121.951, 121.953
No provision.	No provision.	Requires a state agency subject to continuing law requirements to reduce regulatory restrictions in administrative rules that has achieved its statutorily required reduction to eliminate one regulatory restriction for each new regulatory restriction the agency adopts.	Same as the Senate.
No provision.	No provision.	Allows a state agency subject to a state-wide cap on regulatory restrictions in administrative rules that will take effect on July 1, 2025, to appear before JCARR to show cause why the agency should be permitted to adopt a rule that would cause the number of regulatory restrictions to exceed the cap.	Same as the Senate, but clarifies that the state agency does not have to prospectively contact JCARR before submitting a proposed rule containing a regulatory restriction.
No provision.	No provision.	Allows JCARR, by a majority vote, to authorize a state agency to adopt a rule containing a regulatory restriction notwithstanding the state-wide cap.	Same as the Senate.
No provision.	No provision.	Requires JCARR to prepare an annual report summarizing all rules it has authorized a state agency to adopt notwithstanding the state-wide cap on regulatory restrictions and transmit it electronically to the Speaker of the House and the Senate President.	Same as the Senate.
		Fiscal effect: Administrative cost increase for JCARR to complete the required annual report.	Fiscal effect: Same as the Senate.

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<b>JCRCD1    Operating guidance</b> <b>Section:    309.20</b> Requires LSC to act as fiscal agent for JCARR, and requires that committee members be paid in accordance with the law that creates the Committee.	<b>Section:    309.20</b> Same as the Executive.	<b>Section:    309.20</b> Same as the Executive.	<b>Section:    309.20</b> Same as the Executive.
<b>JCRCD2    Operating Expenses</b> <b>Section:    309.20</b> Reappropriates the certified and available balance of GRF ALI 029321, Operating Expenses, at the end of FY 2025 and FY 2026 to FY 2026 and FY 2027, respectively, for the same purpose.	<b>Section:    309.20</b> Same as the Executive.	<b>Section:    309.20</b> Same as the Executive.	<b>Section:    309.20</b> Same as the Executive.
<b>JCRCD6    Review of principles and policies for restatement in rule</b>  No provision.	No provision.	<b>Section:    701.110</b> Requires state agencies with a continuing law duty to review their operations for principles of law and policies that should be restated in an administrative rule to complete a review and file a report with JCARR no later than November 30, 2025, instead of six months after the governor's term expires.  <b>Fiscal effect: Minimal.</b>	<b>Section:    701.110</b> Same as the Senate.  <b>Fiscal effect: Same as the Senate.</b>

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<b>BORCD89 Rules adopted by state institutions of higher education</b>			
<b>R.C. 3345.033, 3345.14, 3345.57, 3345.69, Section 701.10</b>			
Eliminates the requirement that the LSC Director publish rules adopted by a state institution of higher education in the electronic Administrative Code and the requirement that the state institution file a copy of the rule with JCARR.	No provision.	No provision.	No provision.
Requires a state institution to annually submit an electronic copy of all effective rules to the Chancellor and the chairpersons of the committees that primarily deal with higher education in the Senate and House of Representatives.	No provision.	No provision.	No provision.
Permits the chairpersons to hold a hearing and require a representative from the state institution to provide testimony regarding the rule, upon both receipt of a rule and failure to receive the rule.	No provision.	No provision.	No provision.
Exempts rules posted on a state institution's website from review by JCARR and state law governing rules adopted by state agencies.	No provision.	No provision.	No provision.
<b>Fiscal effect: Minimal.</b>			