



Ohio Legislative Service Commission

Sub. Bill Comparative Synopsis

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Sub. H.B. 503

131st General Assembly

(H. Government Accountability and Oversight)

This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Topic	Previous Version (As Introduced)	Sub. Version (LSC 131 1597-12)
Standard for legislative review of an incorporation by reference	<p>Authorizes the Joint Committee on Agency Rule Review (JCARR) to recommend invalidation of a proposed rule if:</p> <p>(1) The citation accompanying the incorporation by reference is not such as reasonably would enable JCARR readily and without charge to find and inspect the incorporated text or other material, and the agency did not file or otherwise make the incorporated text or other material available without charge to JCARR, or</p> <p>(2) The agency has treated the proposed rule in whole or in part as exempt from compliance with the Incorporation of Rules by Reference Act (IRRA) on grounds the incorporated matter has one or more of the characteristics that authorize</p>	<p>Same, but additionally authorizes JCARR to recommend invalidation of a proposed rule if the citation accompanying the incorporation by reference is not such as would enable a reasonable person to whom the proposed rule applies, readily and without charge, to find and inspect the incorporated text or other material (<i>R.C.106.021(D)</i>).</p>

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	the exemption, but the incorporated matter actually does not have any of those characteristics (<i>R.C.106.021(D)</i>).	
Auditor's duties with respect to principles of law or policies that should be restated as rules	<p>Requires the Auditor of State or an independent certified public accountant conducting an audit of a state agency to inquire whether the agency is or appears to be relying upon a principle of law or policy that should be restated in a rule.</p> <p>Requires the Auditor to review notations in an independent certified public accountant's report that indicate an agency is or appears to be relying upon a principle of law or policy that should be restated in a rule.</p> <p>Requires the audit report to identify principles of law or policy that were inquired into or analyzed as part of an audit and should be restated in a rule, and further requires the Auditor to transmit a copy of any report that contains this notation to JCARR (<i>R.C. 117.115</i>).</p>	No provision.
Implementation of the agency's duty to state principles of law or policy in rules; related cause of action	<p>Creates a right to bring a cause of action if:</p> <p>(1) A rule makes an exception to or an amplification of a principle of law,</p> <p>(2) The exception or amplification is not expressly or impliedly authorized by a statute, and</p> <p>(3) The person is adversely affected by the conjoined principle of law and exception or amplification as it applies to the person (<i>R.C. 121.932</i>).</p>	<p>Instead creates a right to bring a cause of action if:</p> <p>(1) A state agency makes an exception to or an amplification of a principle of law whatever its source,</p> <p>(2) The agency applied the exception or amplification to the person,</p> <p>(3) The exception or amplification is not expressly or impliedly authorized by the statute, and</p>



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		(4) the person is adversely affected by the exception or amplification as it was applied to the person (<i>R.C. 121.932</i>).
Exemption from the duty to state principles of law or policy in rules	Declares that the provisions requiring agencies to state principles of law or policy in rules do not apply to the elected state officers or their offices: the Governor, the Lieutenant Governor, the Secretary of State, the Auditor of State, the Treasurer of State, and the Attorney General (<i>R.C. 121.933</i>).	Same, but additionally declares that these provisions do not apply to: (1) A state institution of higher education, or (2) The five state retirement systems (the Public Employees Retirement System, the Ohio Police and Fire Pension Fund, the State Teachers Retirement System, the School Employees Retirement System, and the State Highway Patrol Retirement System) (<i>R.C. 121.933</i>).
Opportunities for Ohioans with Disabilities Agency (OODA) rehabilitation services fee schedule	No provision.	Requires OODA to establish the fee schedule by rule adopted under the Administrative Procedure Act. Current law requires the OODA to establish a fee schedule, but does not specify the method (<i>R.C. 3304.15(D)</i>).

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