

A public hearing will be held by the Office of Attorney General Mike DeWine on Wednesday, November 21, 2012, at 1:30 p.m. in the large conference room at the Ohio Peace Officer Training Academy, located at 1650 State Route 56 S.W., London, Ohio 43140.

The purpose of the hearing is to solicit comment on the following proposed amended rules:

**109:2-18-01**                      **Definitions for CPT Training**

109:2-18-01(D)                      “Public Appointing Authority” means any agency that appoints a peace officer as defined in divisions (A)(1), (A)(3) to ~~(A)(8)(m)(A)(8)~~, (A)(10), (A)(12), (A)(13), (A)(15) to (A)(18), and (A)(19) of section 109.71 of the Revised Code and the Ohio state highway patrol.

All interested parties are invited to attend the hearing and present oral and/or written testimony. Written comments may also be submitted prior to the hearing to the attention of Donna Long, Ohio Peace Officer Training Commission, P.O. Box 309, London, Ohio 43140 or [donna.long@ohioattorneygeneral.gov](mailto:donna.long@ohioattorneygeneral.gov) no later than **Monday**, November 19, 2012.

A copy of the proposed rules may be obtained from the Attorney General’s website ([OhioAttorneyGeneral.gov](http://OhioAttorneyGeneral.gov)) or by calling 614-728-7275 or 800-282-0515. TTY users, please call Relay Ohio at 800-325-2223.

**Rule Summary and Fiscal Analysis (Part A)****Attorney General**

Agency Name

**Peace Officer Training Commission**

Division

**Donna Long**

Contact

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**109:2-18-01**

Rule Number

**AMENDMENT**

TYPE of rule filing

Rule Title/Tag Line

**Definitions.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **RC109.802**

5. Statute(s) the rule, as filed, amplifies or implements: **RC109.73, RC109.75, RC109.802, RC109.803**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

5 Year Review

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

To correct typos

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

*Not Applicable.*

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so. If applicable, indicate each specific paragraph of the rule that has been modified:

*Not Applicable.*

12. 119.032 Rule Review Date: **10/17/2012**

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

**FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

\$0.00

no cost

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

no cost

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

no cost

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**

**S.B. 2 (129th General Assembly) Questions**

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **No**

19. Specific to this rule, answer the following:

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**

109:2-18-01           **Definitions.**

- (A) As used in rules 109:2-18-01 to 109:2-18-07 of the Administrative Code, "Peace Officer" has the same meaning as in section 109.71 of the Revised Code.
- (B) "Trooper" means an individual appointed as a state highway patrol trooper under section 5503.01 of the Revised Code.
- (C) "Appointing Authority" means any agency or entity that appoints a peace officer or trooper.
- (D) "Public Appointing Authority" means any agency that appoints a peace officer as defined in divisions (A)(1), (A)(3) to ~~(A)(8)(m)~~, (A)(8), (A)(10), (A)(12), (A)(13), (A)(15) to (A)(18), and (A)(19) of section 109.71 of the Revised Code and the Ohio state highway patrol.
- (E) "Responsible Agency" means the appointing authority charged with the responsibility for documenting the peace officer or trooper's training.
- (F) "Commission" means the Ohio peace officer training commission.
- (G) "Executive Director" means the executive director of the Ohio peace officer training commission.
- (H) "Continuing Professional Training" means the training prescribed by sections 109.802 and 109.803 of the Revised Code.
- (I) "OHLEG" means the Ohio law enforcement gateway.

Effective:

R.C. 119.032 review dates: 10/17/2012

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: RC109.802  
Rule Amplifies: RC109.73, RC109.75, RC109.802, RC109.803  
Prior Effective Dates: 10/12/2007