



Ohio Administrative Code Rule 102-3-01 Advisory opinions.

Effective: February 11, 2017

(A) The commission may issue advisory opinions, as described in section 102.08 of the Revised Code related to ethics, conflicts of interest, financial disclosure, or any other topic covered by Chapter 102. of the Revised Code or section 2921.42 or 2921.43 of the Revised Code.

(B) Opinions can be formal, informal, or staff opinions.

(1) All formal advisory opinions, reviewed and voted on by the commission at an open meeting, will include the following:

(a) A syllabus summarizing the holding of the commission;

(b) A statement of facts upon which the conclusions are based. Such statement of facts need not disclose the name of any person;

(c) A discussion of the facts and the application of the law;

(d) A serial number indicating the year and the number of the advisory opinion rendered;

(e) The signature of the commission chair; and

(f) Any other requirements in the Revised Code.

(2) All informal opinions, written to an individual and reviewed and voted on by the commission at an open meeting, will include:

(a) A statement of facts upon which the conclusions are based; and

(b) A discussion of the facts and the application of the law.



(3) Staff opinions, based on prior formal or informal opinions of the commission, are not reviewed or voted on by the commission. Staff opinions will include:

(a) A statement of the facts upon which the conclusions are based;

(b) A discussion of the facts and the application of the law; and

(c) A statement that the staff opinion represents the views of the signing advisory attorney, based on the commission's past advisory opinions.

(C) Formal, informal, and staff opinions will provide the recipient, and any person similarly situated to the recipient, the immunity described in section 102.08 of the Revised Code, provided that the facts are fully disclosed and the recipient or similarly situated person fully complies with the guidance in the opinion.

(D) The commission will maintain a record of all advisory opinions rendered.