



Ohio Revised Code

Section 106.021 Resolution to invalidate rule; grounds.

Effective: September 17, 2014

Legislation: Senate Bill 3 - 130th General Assembly

If, upon reviewing a proposed rule or revised proposed rule, the joint committee on agency rule review makes any of the following findings with regard to the proposed rule or revised proposed rule, the joint committee may recommend to the senate and house of representatives the adoption of a concurrent resolution to invalidate the proposed rule or revised proposed rule or a part thereof:

- (A) The proposed rule or revised proposed rule exceeds the scope of its statutory authority.
 - (B) The proposed rule or revised proposed rule conflicts with the legislative intent of the statute under which it was proposed.
 - (C) The proposed rule or revised proposed rule conflicts with another proposed or existing rule.
 - (D) The proposed rule or revised proposed rule incorporates a text or other material by reference and either the agency has failed to file the text or other material incorporated by reference as required by section 121.73 of the Revised Code or the incorporation by reference fails to meet the standards stated in sections 121.72, 121.75, and 121.76 of the Revised Code.
 - (E) The agency has failed to prepare a complete and accurate rule summary and fiscal analysis of the proposed rule or revised proposed rule as required by section 127.18 of the Revised Code.
 - (F) The agency has failed to demonstrate through the business impact analysis, recommendations from the common sense initiative office, and the memorandum of response that the regulatory intent of the proposed rule or revised proposed rule justifies its adverse impact on businesses in this state.
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