

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 1024

Representative Callender

To amend sections 101.64, 103.0511, 106.02, 106.03, 1
106.031, 106.032, 107.51, 107.57, 107.63, 2
121.81, 121.82, 121.951, 121.953, and 4798.02;
to amend, for the purpose of adopting new 4
section numbers as indicated in parentheses, 5
sections 107.51 (101.37), 107.52 (101.372), 6
107.53 (101.373), 107.54 (101.374), 107.55 7
(101.378), 107.56 (101.377), 107.57 (101.376), 8
and 107.62 (101.375); to enact section 101.371; 9
and to repeal section 107.61 of the Revised Code 10
to make changes to the Common Sense Initiative 11
Office and to the process by which 12
administrative rules are adopted and reviewed. 13

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 101.64, 103.0511, 106.02, 106.03, 14
106.031, 106.032, 107.51, 107.57, 107.63, 121.81, 121.82, 15
121.951, 121.953, and 4798.02 be amended; sections 107.51 16
(101.37), 107.52 (101.372), 107.53 (101.373), 107.54 (101.374), 17
107.55 (101.378), 107.56 (101.377), 107.57 (101.376), and 107.62 18
(101.375) be amended for the purpose of adopting new section 19
numbers as indicated in parentheses; and section 101.371 of the 20
Revised Code be enacted to read as follows: 21

Sec. ~~107.51~~ 101.37. As used in sections ~~107.51-101.37~~ to 22
~~107.55-101.378~~ of the Revised Code, "agency" and "draft rule" 23
have the meanings defined in section 121.81 of the Revised Code. 24

Sections ~~107.51-101.37~~ to ~~107.55~~ and ~~107.61 to 107.63~~ 25
~~101.378~~ of the Revised Code are complementary to sections 107.63 26
and 121.81 to 121.82 of the Revised Code. 27

Sec. 101.371. The common sense initiative office is 28
established within the legislative branch of government. The 29
president of the senate and the speaker of the house of 30
representatives shall organize, and as it becomes necessary or 31
advisable may reorganize, the office. The president and the 32
speaker shall, by mutual consent, appoint a director of the 33
office. The director shall appoint professional, technical, and 34
clerical personnel who are necessary for the work of the office 35
to be carried out efficiently and successfully. The director and 36
employees are in the unclassified service and serve at the 37
pleasure of the president and speaker. The president and speaker 38
shall provide the office with office space, and with 39
furnishings, equipment, and resources, as is necessary for the 40
work of the office to be carried out efficiently and 41
successfully. References in law authorizing or requiring action 42
by the "common sense initiative office" imply action being taken 43
by the director or relevant personnel of the office. 44

Sec. ~~107.52~~ 101.372. A draft or existing rule that affects 45
businesses has an adverse impact on businesses if a provision of 46
the draft or existing rule that applies to businesses has any of 47
the following effects: 48

(A) It requires a license, permit, or any other prior 49
authorization to engage in or operate a line of business; 50

(B) It imposes a criminal penalty, a civil penalty, or 51
another sanction, or creates a cause of action, for failure to 52
comply with its terms; 53

(C) It requires specific expenditures or the report of 54
information as a condition of compliance; or 55

(D) It would be likely to directly reduce the revenue or 56
increase the expenses of the lines of business to which it will 57
apply or applies. 58

Sec. ~~107.53~~ 101.373. The common sense initiative office 59
shall develop, and as it becomes necessary or advisable shall 60
improve, a business impact analysis instrument that shall be 61
used as required by law to evaluate draft and existing rules 62
that might have an adverse impact on businesses. The instrument 63
shall be in writing, and shall include the following: 64

(A) Standards that encourage agencies to propose draft 65
rules, and to evaluate existing rules, and proposed revisions 66
thereto, in such a manner that the rules will be as easy to 67
understand as their subject matter permits; 68

(B) Performance measures that can be applied to evaluate 69
the likely efficiency and effectiveness of a draft or existing 70
rule in achieving its regulatory objectives; 71

(C) Standards for evaluating alternative means of 72
regulation that might reduce or eliminate the adverse impact a 73
draft or existing rule might have on businesses; 74

(D) Standards that will promote transparency, 75
predictability, consistency, and flexibility in the 76
implementation and operation of a draft or existing rule, as 77
well as an overall balance in a draft or existing rule between 78
its regulatory objectives and the costs of compliance it imposes 79

on regulated persons; 80

(E) Standards that require an agency to encourage 81
businesses that might be adversely impacted by a draft rule to 82
participate in the rule-making process, beginning at the 83
earliest practicable stage, and that will encourage businesses 84
that are or may be adversely impacted by an existing rule to 85
offer advice and assistance to the agency when the existing rule 86
is being implemented and administered; and 87

(F) Any other standards or measures, or any other 88
criteria, the office concludes will reduce or eliminate adverse 89
impacts on businesses and foster improved regulation and 90
economic development in the state. 91

Alternative means of regulation include, and are not 92
limited to, less stringent compliance or reporting requirements, 93
less stringent schedules or deadlines, consolidation or 94
simplification of requirements, establishment of performance 95
standards to replace operational standards, and exemption of 96
businesses. 97

The instrument does not need to be adopted as a rule. The 98
office shall publish the current instrument in the register of 99
Ohio. 100

Sec. ~~107.54~~ 101.374. (A) (1) When the common sense 101
initiative office receives a draft rule and business impact 102
analysis from an agency, the office shall evaluate the draft 103
rule and analysis against the business impact analysis 104
instrument and any other relevant criteria, and may prepare and 105
transmit recommendations to the agency on how the draft rule 106
might be revised to eliminate or reduce any adverse impact the 107
draft rule might have on businesses. 108

(2) When the office receives an existing rule and business impact analysis from an agency under division (A) (2) of section 106.031 of the Revised Code, the office shall evaluate the existing rule and analysis against the business impact analysis instrument and any other relevant criteria, and may prepare and transmit recommendations to the agency on how the existing rule might be amended or rescinded to eliminate or reduce any adverse impact the existing rule has on businesses.

(B) The office shall transmit any such recommendations electronically to the agency. If the office fails to make such a transmission after receiving the draft or existing rule and business impact analysis, it is as if the office had elected not to make any recommendations.

Sec. ~~107.62~~ 101.375. The common sense initiative office shall establish a system through which any person may comment concerning:

(A) The adverse impact on businesses a draft rule might have;

(B) The adverse impact on businesses that a rule currently in effect is having; or

(C) The adverse impact on businesses the implementation or administration of a rule currently in effect is having.

The office shall prepare a plan for the comment system, and shall revise or replace the plan to improve the comment system in light of learning, experience, or technological development. The office shall publish the current plan for the comment system in the register of Ohio.

At a minimum, the plan for the comment system shall provide for communication of comments as follows: The office

shall accept comments in writing that are delivered to the 138
office personally, by mail, or by express. The office shall 139
establish a toll-free telephone number that a person may call to 140
offer comments. (The telephone number shall be connected to a 141
recording device at its answering point.) The office shall 142
create a web site that enables a person to offer comments 143
electronically. The web site also shall provide notification to 144
the public of any draft or existing rule that may have an 145
adverse impact on businesses, which notification shall include 146
copies of the draft or existing rule and the business impact 147
analysis of the draft rule. 148

The office shall forward written, telephoned, and 149
electronically transmitted comments to the state agency having 150
jurisdiction over the rule. The office has no other duty with 151
regard to the comments. 152

Sec. ~~107.57~~ 101.376. (A) In the course of evaluating draft 153
rules and business impact analyses under sections ~~107.51 to~~ 154
~~107.55-101.37, 101.372 to 101.374, and 101.378~~ of the Revised 155
Code, or at any other time, the common sense initiative office 156
may review any rules containing regulatory restrictions that a 157
state agency is required to include in its inventory of 158
regulatory restrictions under section 121.95 of the Revised 159
Code. If the common sense initiative office determines, based on 160
the criteria described in division (A) of section 106.03 of the 161
Revised Code, that a state agency should eliminate a regulatory 162
restriction, the common sense initiative office shall notify the 163
state agency that it is required to eliminate that regulatory 164
restriction, and the state agency shall eliminate it. 165

(B) If a state agency objects to the elimination of a 166
regulatory restriction that the common sense initiative office 167

has determined should be eliminated under division (A) of this 168
section, the state agency may appeal that decision to the joint 169
committee on agency rule review. If the joint committee also 170
determines, based on the criteria described in division (A) of 171
section 106.03 of the Revised Code, that the state agency should 172
eliminate the regulatory restriction, the state agency shall 173
eliminate it. 174

(C) As used in this section, "state agency" has the same 175
meaning as in section 121.95 of the Revised Code. 176

Sec. ~~107.56~~ 101.377. (A) As used in this section, "board 177
or commission" means any of the following: 178

- (1) The accountancy board; 179
- (2) The architects board; 180
- (3) The state cosmetology and barber board; 181
- (4) The board of embalmers and funeral directors; 182
- (5) The board of executives of long-term services and 183
supports; 184
- (6) The crematory review board; 185
- (7) The motor vehicle dealers board; 186
- (8) The motor vehicle repair board; 187
- (9) The motor vehicle salvage dealer's licensing board; 188
- (10) The Ohio athletic commission; 189
- (11) The Ohio construction industry licensing board; 190
- (12) The Ohio landscape architects board; 191
- (13) The Ohio real estate commission; 192

(14) The real estate appraiser board;	193
(15) The state auctioneers commission;	194
(16) The state speech and hearing professionals board;	195
(17) The state board of education;	196
(18) The state board of emergency medical, fire, and transportation services;	197 198
(19) The board of nursing;	199
(20) The state board of pharmacy;	200
(21) The state board of registration for professional engineers and surveyors;	201 202
(22) The state board of psychology;	203
(23) The state chiropractic board;	204
(24) The state dental board;	205
(25) The state medical board;	206
(26) The state veterinary medical licensing board;	207
(27) The state vision professionals board;	208
(28) The counselor, social worker, and marriage and family therapist board;	209 210
(29) The chemical dependency professionals board;	211
(30) The Ohio occupational therapy, physical therapy, and athletic trainers board;	212 213
(31) Any other multi-member body created under state law that licenses or otherwise regulates an occupation or industry to which one or more members of the body belongs.	214 215 216

(B) The common sense initiative office shall review an 217
action taken or proposed by a board or commission that is 218
subject to review under this section and that is referred to the 219
office pursuant to division (C) of this section. 220

(1) The following actions are subject to review under this 221
section: 222

(a) Any action that directly or indirectly has an effect 223
of any of the following: 224

(i) Fixing prices, limiting price competition, or 225
increasing prices in this state for the goods or services that 226
are provided by the occupation or industry regulated by the 227
board or commission; 228

(ii) Dividing, allocating, or assigning customers, 229
potential customers, or geographic markets in this state among 230
members of the occupation or industry regulated by the board or 231
commission; 232

(iii) Excluding present or potential competitors from the 233
occupation or industry regulated by the board or commission; 234

(iv) Limiting the output or supply in this state of any 235
good or service provided by the members of the occupation or 236
industry regulated by the board or commission. 237

(b) Any other activity that could be subject to state or 238
federal antitrust law if the action were undertaken by a private 239
person or combination of private persons. 240

(2) Except as provided in division (H) of this section, 241
the following actions are not subject to review under this 242
section: 243

(a) Denying an application to obtain a license because the 244

applicant has violated or has not complied with the Ohio Revised 245
Code or the Ohio Administrative Code; 246

(b) Taking disciplinary action against an individual or 247
corporation that is licensed by a board or commission for 248
violations of the Ohio Revised Code or the Ohio Administrative 249
Code. 250

(C) (1) The following persons or entities may refer an 251
action to the office for review under this section: 252

(a) A board or commission that has taken or is proposing 253
to take an action; 254

(b) A person who is affected by an action taken by a board 255
or commission or is likely to be affected by an action proposed 256
by a board or commission; 257

(c) A person who has been granted a stay pursuant to 258
division (G) of this section. 259

(2) A board or commission or person who refers an action 260
to the office shall prepare a brief statement explaining the 261
action and its consistency or inconsistency with state or 262
federal antitrust law and file the statement with the office. If 263
the action is in writing, the board or commission or person 264
shall attach a copy of it to the statement. The person shall 265
transmit a copy of the statement to the board or commission. 266

(3) The referral of an action by a board or commission for 267
review by the office does not constitute an admission that the 268
action violates any state or federal law. 269

(4) A person who is affected by an action taken by a board 270
or commission or is likely to be affected by an action proposed 271
by a board or commission shall refer the action to the office 272

for review within thirty days after receiving notice of the 273
action or proposed action. 274

(5) If an ongoing action or an action proposed by a board 275
or commission is referred to the office for review under this 276
section, the board or commission shall cease the ongoing action 277
or not take the proposed action until the office has approved of 278
the action pursuant to division (E) of this section and prepared 279
and transmitted the memorandum required under division (F) of 280
this section. 281

(D) The office shall determine whether an action referred 282
to the office under this section is supported by, and consistent 283
with, a clearly articulated state policy as expressed in the 284
statutes creating the board or commission or the statutes and 285
rules setting forth the board's or commission's powers, 286
authority, and duties. If the office finds this to be the case, 287
the office shall determine whether the clearly articulated state 288
policy is merely a pretext by which the board or commission 289
enables the members of an occupation or industry the board or 290
commission regulates to engage in anticompetitive conduct that 291
could be subject to state or federal antitrust law if the action 292
were taken by a private person or combination of private 293
persons. 294

(E) After making the determinations required under 295
division (D) of this section, the office shall take one of the 296
following actions: 297

(1) Approve the board or commission action if the office 298
determines that the action is pursuant to a clearly articulated 299
state policy and that the policy is not a pretext as described 300
in division (D) of this section. If the office approves the 301
board's or commission's action, the board or commission may 302

proceed to take or may continue the action. 303

(2) Disapprove the board or commission action if the 304
office determines that the action is not pursuant to a clearly 305
articulated state policy or that if it is pursuant to a clearly 306
articulated state policy, that policy is a pretext as described 307
in division (D) of this section. If the office disapproves the 308
board's or commission's action, the action is void. 309

(F) The office shall prepare a memorandum that explains 310
the office's approval or disapproval. The office shall transmit 311
a copy of the memorandum to the person and the board or 312
commission or to the board or commission if only the board or 313
commission is involved. The office shall post the memorandum on 314
the web site maintained by the office. 315

(G) (1) A person having standing to commence and prosecute 316
a state or federal antitrust action against a board or 317
commission shall exhaust the remedies provided by this section 318
before commencing such an action. This division shall not apply 319
to the attorney general, a county prosecuting attorney, or any 320
assistant prosecutor designated to assist a county prosecuting 321
attorney. 322

(2) The state, a board or commission, or a member of a 323
board or commission in the member's official capacity, may 324
request a stay of any lawsuit alleging that a board or 325
commission engaged in anticompetitive conduct by taking an 326
action described in division (B) (1) or (2) of this section that 327
has not been previously reviewed by the office under this 328
section. If the lawsuit was initiated by a person other than the 329
attorney general, a county prosecuting attorney, or any 330
assistant prosecutor designated to assist a county prosecuting 331
attorney, the court shall grant the request. If the lawsuit was 332

initiated by the attorney general, a county prosecuting attorney, or any assistant prosecutor designated to assist a county prosecuting attorney, the court shall deny the request. Any stay granted under this division will continue in effect until the office has prepared and transmitted the memorandum required under division (F) of this section.

(H) The office shall review any action referred to the office by a party who has been granted a stay pursuant to division (G) of this section.

(I) Notwithstanding any provision of this section to the contrary, an action taken by a board or commission is not subject to review under this section if the members of the board or commission who are members of the occupation or industry affected by the action are prohibited by statute from hearing, considering, deciding, or otherwise participating in the action.

(J) The office shall adopt rules under Chapter 119. of the Revised Code that are necessary for the implementation and administration of this section.

Sec. ~~107.55~~ 101.378. The common sense initiative office, annually not later than the first day of February, shall prepare a report of the activities of the office during the preceding calendar year. The report shall include:

(A) A statement of the number of draft and existing rules reviewed during the calendar year;

(B) A description of the recommendations made to agencies with regard to draft and existing rules;

(C) An assessment of the status of the recommendations made;

(D) An explanation of the performance measures developed 361
to evaluate the efficiency and effectiveness of the office; 362

(E) An evaluation of the work of the office judged against 363
the performance measures; and 364

(F) Any other information the office believes will explain 365
the work of the office. 366

The office shall transmit a copy of the report to the 367
governor, the lieutenant governor, the president and minority 368
leader of the senate, and the speaker and minority leader of the 369
house of representatives. 370

Sec. 101.64. The president of the senate and the speaker 371
of the house of representatives shall notify the ~~chief-director~~ 372
of the common sense initiative office, established under section 373
~~107.61-101.371~~ of the Revised Code, when a board is identified 374
to be reviewed by a standing committee under section 101.63 of 375
the Revised Code. The ~~chief-director~~ or the ~~chief's-director's~~ 376
designee shall appear and testify before the standing committee, 377
with respect to the board, and shall testify on at least all of 378
the following: 379

(A) Whether or not the common sense initiative office has, 380
within the previous six years, received commentary related to 381
the board through the comment system established under section 382
~~107.62-101.375~~ of the Revised Code; 383

(B) Whether or not the common sense initiative office has, 384
within the previous six years, received advice from the small 385
business advisory council with respect to rules of the board; 386

(C) Any other information the chief believes will 387
elucidate the effectiveness and efficiency of the board and in 388
particular the quality of customer service provided by the 389

board. 390

Sec. 103.0511. The director of the legislative service 391
commission shall establish and maintain, and enhance and 392
improve, an electronic rule-filing system connecting: 393

(A) The legislative service commission, the joint 394
committee on agency rule review, and the secretary of state; 395

(B) The governor, the senate and house of representatives, 396
and the clerks of the senate and house of representatives; 397

(C) Each agency that files rules and other rule-making and 398
rule-related documents with the legislative service commission, 399
the joint committee on agency rule review, the department of 400
aging, the governor, the secretary of state, the general 401
assembly, or a committee of the senate or house of 402
representatives under section 101.374, 106.02, 106.022, 106.024, 403
106.031, ~~107.54~~, 111.15, 117.20, 119.03, 119.0311, 119.04, 404
121.39, 121.82, 173.01, or 5117.02 of the Revised Code or any 405
other statute; 406

(D) The several publishers of the Administrative Code; 407

(E) The common sense initiative office; and 408

(F) Any other person or governmental officer or entity 409
whose inclusion in the system is required for the system to be a 410
complete electronic rule-filing system. 411

The electronic rule-filing system is to enable rules and 412
rule-making and rule-related documents to be filed, and official 413
responses to these filings to be made, exclusively by electronic 414
means. 415

Sec. 106.02. (A) Subject to division (B) of this section, 416
when an agency files a proposed rule and rule summary and fiscal 417

analysis with the joint committee on agency rule review, the 418
joint committee shall review the proposed rule and rule summary 419
and fiscal analysis, and an invalidating concurrent resolution 420
may be adopted, not later than the sixty-fifth day after the day 421
on which the proposed rule was filed with the joint committee. 422
If, after filing the original version of a proposed rule, the 423
agency makes a revision in the proposed rule, the agency shall 424
file the revised proposed rule and a revised rule summary and 425
fiscal analysis with the joint committee. If the revised 426
proposed rule is filed thirty-five or fewer days after the 427
original version of the proposed rule was filed, the joint 428
committee shall review the revised proposed rule and revised 429
rule summary and fiscal analysis, and an invalidating concurrent 430
resolution may be adopted, not later than the sixty-fifth day 431
after the original version of the proposed rule was filed. If, 432
however, the revised proposed rule is filed more than thirty- 433
five days after the original version of the proposed rule was 434
filed, the joint committee shall review the revised proposed 435
rule and revised rule summary and fiscal analysis, and an 436
invalidating concurrent resolution may be adopted, not later 437
than the thirtieth day after the revised proposed rule was filed 438
with the joint committee. 439

~~(B)~~ (B) (1) If, after filing a proposed rule and rule 440
summary and fiscal analysis with the joint committee, an agency 441
determines that it needs additional time to consider the 442
proposed rule and possibly file a revised proposed rule, the 443
agency may notify the joint committee of the agency's intention 444
to file a revised proposed rule. When the agency notifies the 445
joint committee of its intention to file a revised proposed 446
rule, the running of the time within which an invalidating 447
concurrent resolution may be adopted is tolled. 448

If, after notifying the joint committee of the agency's intention to file a revised proposed rule, the agency makes a revision in the proposed rule, the agency shall file the revised proposed rule and a revised rule summary and fiscal analysis with the joint committee. If the revised proposed rule is filed thirty-five or fewer days after the agency filed the original version of the proposed rule, the joint committee shall review the revised proposed rule and revised rule summary and fiscal analysis, and an invalidating concurrent resolution may be adopted, not later than the sixty-fifth day after the agency filed the original version of the proposed rule. If, however, the revised proposed rule is filed more than thirty-five days after the agency filed the original version of the proposed rule, the joint committee shall review the revised proposed rule and revised rule summary and fiscal analysis, and an invalidating concurrent resolution may be adopted, not later than the thirtieth day after the revised proposed rule is filed with the joint committee.

(2) On a motion by any member of the committee, the joint committee, by a vote of a majority of its members, may extend the period to recommend a concurrent resolution invalidating a rule under this section by thirty days if a member of the committee has questions about the rule and a representative of the agency has not appeared to answer those questions during the sixty-five-day period or any extension of that period.

(C) When an original or revised version of a proposed rule and rule summary and fiscal analysis is filed with the joint committee in December or in the following January before the first day of the legislative session, the joint committee shall review the proposed rule and rule summary and fiscal analysis, and an invalidating concurrent resolution may be adopted, as if

the original version of the proposed rule and rule summary and 480
fiscal analysis had been filed with the joint committee on the 481
first day of the legislative session in the following January. 482
If, however, the original version of a proposed rule and rule 483
summary and fiscal analysis have been pending before the joint 484
committee for more than thirty-five days, and the proposed rule 485
and rule summary and fiscal analysis are revised in December or 486
in the following January before the first day of the legislative 487
session, the joint committee shall review the revised proposed 488
rule and revised rule summary and fiscal analysis, and an 489
invalidating concurrent resolution may be adopted, not later 490
than the thirtieth day after the first day of the legislative 491
session in the following January. 492

(D) A revised proposed rule supersedes each earlier 493
version of the same proposed rule. 494

(E) The joint committee shall endeavor not to hold its 495
public hearing on a proposed rule earlier than the forty-first 496
day after the proposed rule was filed with the joint committee. 497
The chairperson of the joint committee responsible for calling 498
and conducting meetings under section 101.35 of the Revised Code 499
may select a date for the committee's public hearing on a 500
proposed rule that is earlier than the forty-first day after the 501
proposed rule was filed. 502

Sec. 106.03. Prior to the review date of an existing rule, 503
the agency that adopted the rule shall do both of the following: 504

(A) Review the rule to determine whether the rule should 505
be amended or rescinded, including for the purpose of 506
accomplishing the reductions in regulatory restrictions required 507
by section 121.951 of the Revised Code, because it does any of 508
the following, or otherwise for the purpose of reducing 509

regulatory restrictions: 510

(1) Exceeds or conflicts with the purpose, scope, or 511
intent of the statute under which the rule was adopted; 512

(2) Provides inadequate flexibility at the local level; 513

(3) Creates a compliance or oversight burden for the state 514
agency, or for any person or entity, that is greater than the 515
burden that would be created if the agency accomplished the 516
intended purpose of the restriction by other means; 517

(4) Is no longer useful or beneficial; 518

(5) Incorporates a text or other material by reference 519
and, if so: 520

(a) The citation accompanying the incorporation by 521
reference is such as would not reasonably enable a reasonable 522
person to whom the rule applies readily and without charge to 523
find and inspect the incorporated text or other material; 524

(b) The citation accompanying the incorporation by 525
reference is such as would not reasonably enable the joint 526
committee on agency rule review readily and without charge to 527
find and inspect the incorporated text or other material; or 528

(c) If the rule has been exempted in whole or in part from 529
sections 121.71 to 121.74 of the Revised Code on grounds the 530
incorporated text or other material has one or more of the 531
characteristics described in division (B) of section 121.75 of 532
the Revised Code, the incorporated text or other material does 533
not actually have any of those characteristics. 534

(6) Duplicates, overlaps with, or conflicts with a federal 535
law or rule or another law or rule of this state. A rule 536
duplicates, overlaps with, or conflicts with another law or rule 537

if it imposes a duty or liability on a person or entity that the 538
other law or rule also imposes on that person or entity, in 539
whole or in part, or imposes a duty or liability that may 540
require a person or entity to violate the other law or rule in 541
whole or in part. If the rule duplicates, overlaps with, or 542
conflicts with a rule adopted by another state agency, the two 543
agencies shall determine which agency shall amend or rescind its 544
rule and shall develop and execute a plan to work together to 545
achieve the required oversight. 546

(7) Has an adverse impact on businesses, as determined 547
under section ~~107.52~~101.372 of the Revised Code; 548

(8) Has an adverse impact on any other person or entity; 549

(9) Contains words or phrases having meanings that in 550
contemporary usage are understood as being derogatory or 551
offensive; 552

(10) Requires liability insurance, a bond, or any other 553
financial responsibility instrument as a condition of licensure; 554

(11) Imposes a more severe duty or liability than 555
restrictions in neighboring states in order to accomplish the 556
same goal; 557

(12) Implements a federal law or rule in a manner that is 558
more stringent or burdensome than the federal law or rule 559
requires. 560

In making its review, the agency shall consider the 561
continued need for the rule, the nature of any complaints or 562
comments received concerning the rule, and any relevant factors 563
that have changed in the subject matter area affected by the 564
rule. 565

(B) On the basis of its review of the existing rule, the 566
agency shall determine whether the existing rule needs to be 567
amended or rescinded. 568

(1) If the existing rule needs to be amended or rescinded, 569
the agency, on or before the review date of the existing rule, 570
shall commence the process of amending or rescinding the 571
existing rule in accordance with its review of the rule. 572

(2) If the existing rule does not need to be amended or 573
rescinded, proceedings shall be had under section 106.031 of the 574
Revised Code. 575

Upon the request of the agency that adopted an existing 576
rule, the joint committee on agency rule review may extend the 577
review date of the rule to a date that is not later than one 578
hundred eighty days after the review date assigned to the rule 579
by the agency. Not more than two such extensions may be allowed. 580

Sec. 106.031. If an agency, on the basis of its review of 581
a rule under section 106.03 of the Revised Code, determines that 582
the rule does not need to be amended or rescinded, proceedings 583
shall be had as follows: 584

(A) (1) If, considering only the standard of review 585
specified in division (A) (7) of section 106.03 of the Revised 586
Code, the rule has an adverse impact on businesses, the agency 587
shall prepare a business impact analysis that describes its 588
review of the rule under that division and that explains why the 589
regulatory intent of the rule justifies its adverse impact on 590
businesses. If the rule does not have an adverse impact on 591
businesses, the agency may proceed under division (B) of this 592
section. 593

(2) The agency shall transmit a copy of the full text of 594

the rule and the business impact analysis electronically to the 595
common sense initiative office. The office shall make the rule 596
and analysis available to the public on its web site under 597
section ~~107.62~~101.375 of the Revised Code. 598

(3) The agency shall consider any recommendations made by 599
the office. 600

(4) Not earlier than the sixteenth business day after 601
transmitting the rule and analysis to the office, the agency 602
shall either (a) proceed under divisions (A) (5) and (B) of this 603
section or (b) commence, under division (B) (1) of section 106.03 604
of the Revised Code, the process of rescinding the rule or of 605
amending the rule to incorporate into the rule features the 606
recommendations suggest will eliminate or reduce the adverse 607
impact the rule has on businesses. If the agency determines to 608
amend or rescind the rule, the agency is not subject to the time 609
limit specified in division (B) (1) of section 106.03 of the 610
Revised Code. 611

(5) If the agency receives recommendations from the 612
office, and determines not to amend or rescind the rule, the 613
agency shall prepare a memorandum of response that explains why 614
the rule is not being rescinded or why the recommendations are 615
not being incorporated into the rule. 616

(B) The agency shall assign a new review date to the rule. 617
The review date assigned shall be not later than five years 618
after the immediately preceding review date pertaining to the 619
rule. If the agency assigns a review date that exceeds the five- 620
year maximum, the review date is five years after the 621
immediately preceding review date. The immediately preceding 622
review date includes the date of the review of a rule under 623
section 106.032 of the Revised Code. 624

(C) The agency shall file all the following, in electronic 625
form, with the joint committee on agency rule review, the 626
secretary of state, and the director of the legislative service 627
commission: a copy of the rule specifying its new review date, a 628
complete and accurate rule summary and fiscal analysis, and, if 629
relevant, a business impact analysis of the rule, any 630
recommendations received from the common sense initiative 631
office, and any memorandum of response. 632

(D) The joint committee shall publish notice of the 633
agency's determination not to amend or rescind the rule in the 634
register of Ohio for four consecutive weeks after the rule is 635
filed under division (C) of this section. 636

~~(E) During~~ (E) (1) Except as provided in division (E) (2) of 637
this section, during the ninety-day period after a rule is filed 638
under division (C) of this section, but after the four-week 639
notice period required by division (D) of this section has 640
ended, the joint committee may recommend to the senate and house 641
of representatives the adoption of a concurrent resolution 642
invalidating the rule if the joint committee finds any of the 643
following: 644

~~(1)~~ (a) The agency improperly applied the standards in 645
division (A) of section 106.03 of the Revised Code in reviewing 646
the rule and in determining that the rule did not need amendment 647
or rescission. 648

~~(2)~~ (b) The rule has an adverse impact on businesses, and 649
the agency has failed to demonstrate through a business impact 650
analysis, recommendations from the common sense initiative 651
office, and a memorandum of response that the regulatory intent 652
of the rule justifies its adverse impact on businesses. 653

~~(3)~~(c) If the rule incorporates a text or other material 654
by reference, any of the following applies: 655

~~(a)~~(i) The citation accompanying the incorporation by 656
reference is not such as reasonably would enable a reasonable 657
person to whom the rule applies readily and without charge to 658
find and inspect the incorporated text or other material; 659

~~(b)~~(ii) The citation accompanying the incorporation by 660
reference is not such as reasonably would enable the joint 661
committee readily and without charge to find and inspect the 662
incorporated text or other material; or 663

~~(c)~~(iii) The rule has been exempted in whole or in part 664
from sections 121.71 to 121.74 of the Revised Code on grounds 665
the incorporated text or other material has one or more of the 666
characteristics described in division (B) of section 121.75 of 667
the Revised Code, but the incorporated text or other material 668
actually does not have any of those characteristics. 669

~~(4)~~(d) If the agency is subject to sections 121.95, 670
121.951, 121.952, and 121.953 of the Revised Code, the agency 671
has failed to justify the retention of a rule containing a 672
regulatory restriction. 673

~~(5)~~(e) The rule implements a federal law or rule in a 674
manner that is more stringent or burdensome than the federal law 675
or rule requires. 676

(2) On a motion by any member of the committee, the joint 677
committee, by a vote of a majority of its members, may extend 678
the period to recommend a concurrent resolution invalidating a 679
rule under this section by an additional thirty days if a member 680
of the committee has questions about the rule and a 681
representative of the agency has not appeared to answer those 682

questions during the period described in division (B) (1) of this 683
section or any extension of that period. 684

(F) If ~~the~~ an agency fails to comply with section 106.03 685
or 106.031 of the Revised Code, the joint committee shall afford 686
the agency an opportunity to appear before the joint committee 687
to show cause why the agency has not complied with either or 688
both of those sections. If the agency appears before the joint 689
committee at the time scheduled for the agency to show cause, 690
and fails to do so, the joint committee, by vote of a majority 691
of its members present, may recommend the adoption of a 692
concurrent resolution invalidating the rule for the agency's 693
failure to show cause. Or if the agency fails to appear before 694
the joint committee at the time scheduled for the agency to show 695
cause, the joint committee, by vote of a majority of its members 696
present, may recommend adoption of a concurrent resolution 697
invalidating the rule for the agency's default. 698

When the joint committee recommends that a rule be 699
invalidated, the recommendation does not suspend operation of 700
the rule, and the rule remains operational pending action by the 701
senate and house of representatives on the concurrent resolution 702
embodying the recommendation. If the senate and house of 703
representatives adopt the concurrent resolution, the rule is 704
invalid. If, however, the senate and house of representatives do 705
not adopt the resolution, the rule continues in effect, and 706
shall next be reviewed according to the new review date assigned 707
to the rule. 708

Sec. 106.032. If the chairperson of the joint committee on 709
agency rule review responsible for calling and conducting 710
meetings under section 101.35 of the Revised Code becomes aware 711
that an existing rule has had or is having an unintended or 712

unexpected effect on businesses that is not reasonably within 713
the express or implied scope of the statute under which the 714
existing rule purportedly was adopted, that chairperson may move 715
that the joint committee order the agency that is administering 716
the existing rule to submit the existing rule for review under 717
section 106.031 of the Revised Code, the same as if the agency 718
had made a determination with regard to the existing rule under 719
division (B) (2) of section 106.03 of the Revised Code. The joint 720
committee may adopt the motion by vote of a majority of its 721
members. The joint committee shall not adopt a motion under this 722
paragraph for a rule if the joint committee previously has 723
adopted a motion under this paragraph for the same rule within 724
the immediately preceding five-year period. 725

The joint committee shall prepare the order in writing, 726
and shall transmit the order electronically to the agency. The 727
joint committee also shall transmit a copy of the order 728
electronically to the director of the legislative service 729
commission and to the common sense initiative office. The joint 730
committee shall indicate in the order the date on which the 731
order is transmitted. The director shall publish the order in 732
the register of Ohio. 733

Upon receiving the order, the agency shall comply with the 734
order as soon as reasonably possible, but shall commence 735
compliance with the order not later than thirty days after the 736
date on which the order was transmitted. 737

When an agency complies with the order, proceedings are to 738
be had with regard to the existing rule under section 106.031 of 739
the Revised Code, the same as if the agency had made a 740
determination with regard to the existing rule under division 741
(B) (2) of section 106.03 of the Revised Code. In addition to the 742

standards of review stated in division ~~(F)~~(E) (1) of section 743
106.031 of the Revised Code, the joint committee may recommend 744
to the senate and house of representatives the adoption of a 745
concurrent resolution invalidating the existing rule if the 746
joint committee finds that the existing rule has an unintended 747
or unexpected effect on businesses that is not reasonably within 748
the express or implied scope of the statute under which the 749
agency purportedly adopted the existing rule. 750

Sec. 107.63. (A) As used in this section, ~~"small":~~ 751

(1) "Small business" means an independently owned and 752
operated for-profit or nonprofit business entity, including 753
affiliates, that has fewer than five hundred full time employees 754
or gross annual sales of less than six million dollars, and has 755
operations located in the state. 756

(2) "Draft rule" has the same meaning as in section 121.81 757
of the Revised Code. 758

(B) The small business advisory council is established in 759
the office of the governor. The council shall advise the 760
governor, and the lieutenant governor, ~~and the common sense~~ 761
~~initiative office~~ on the adverse impact draft and existing rules 762
might have on small businesses. The council shall meet at the 763
discretion of the ~~director of the common sense initiative~~ 764
~~office~~ governor. 765

(C) The council consists of nine members. The governor, ~~or~~ 766
~~the person to whom the governor has delegated responsibilities~~ 767
~~for the common sense initiative office under section 107.61 of~~ 768
~~the Revised Code,~~ shall appoint five members, the president of 769
the senate shall appoint two members, and the speaker of the 770
house of representatives shall appoint two members. A member 771

serves at the pleasure of the member's appointing authority. The 772
appointing authorities shall consult with each other and appoint 773
only individuals who are representative of small businesses, and 774
shall do so in such a manner that the membership of the council 775
is composed of representatives of small businesses that are of 776
different sizes, engaged in different lines of business, and 777
located in different parts of the state. 778

(D) This section is complementary to sections 101.37 to 779
101.378 and sections 121.81 to 121.82 of the Revised Code. 780

Sec. 121.81. As used in sections 121.81 to 121.82 of the 781
Revised Code: 782

(A) "Agency" means a state agency that is required to file 783
proposed rules for legislative review under division (D) of 784
section 111.15 or division (C) of section 119.03 of the Revised 785
Code. 786

(B) "Draft rule" means any newly proposed rule and any 787
proposed amendment, adoption, or rescission of a rule prior to 788
the filing of that rule for legislative review under division 789
(D) of section 111.15 or division (C) of section 119.03 of the 790
Revised Code and includes a proposed amendment, adoption, or 791
rescission of a rule in both its original and any revised form. 792
"Draft rule" does not include an emergency rule adopted under 793
division (B) (2) of section 111.15 or division (G) of section 794
119.03 of the Revised Code, but does include a rule that is 795
proposed to replace an emergency rule that expires under those 796
divisions. 797

Sections 121.81 to 121.82 and 121.91 of the Revised Code 798
are complementary to sections ~~107.51~~ 101.37 to ~~107.55~~ 101.378 799
and ~~107.61~~ to 107.63 of the Revised Code. 800

Sec. 121.82. In the course of developing a draft rule that 801
is intended to be proposed under division (D) of section 111.15 802
or division (C) of section 119.03 of the Revised Code, an agency 803
shall: 804

(A) Evaluate the draft rule against the business impact 805
analysis instrument. If, based on that evaluation, the draft 806
rule will not have an adverse impact on businesses, the agency 807
may proceed with the rule-filing process. If the evaluation 808
determines that the draft rule will have an adverse impact on 809
businesses, the agency shall incorporate features into the draft 810
rule that will eliminate or adequately reduce any adverse impact 811
the draft rule might have on businesses; 812

(B) Prepare a business impact analysis that describes its 813
evaluation of the draft rule against the business impact 814
analysis instrument, that identifies any features that were 815
incorporated into the draft rule as a result of the evaluation, 816
and that explains how those features, if there were any, 817
eliminate or adequately reduce any adverse impact the draft rule 818
might have on businesses; 819

(C) Transmit a copy of the full text of the draft rule and 820
the business impact analysis electronically to the common sense 821
initiative office, which information shall be made available to 822
the public on the office's web site in accordance with section 823
~~107.62~~101.375 of the Revised Code; 824

(D) Consider any recommendations made by the common sense 825
initiative office with regard to the draft rule, and either 826
incorporate into the draft rule features the recommendations 827
suggest will eliminate or reduce any adverse impact the draft 828
rule might have on businesses or document, in writing, the 829
reasons those recommendations are not being incorporated into 830

the draft rule; and 831

(E) Prepare a memorandum of response identifying features 832
suggested by any recommendations that were incorporated into the 833
draft rule and features suggested by any recommendations that 834
were not incorporated into the draft rule, explaining how the 835
features that were incorporated into the draft rule eliminate or 836
reduce any adverse impact the draft rule might have on 837
businesses, and explaining why the features that were not 838
incorporated into the draft rule were not incorporated. 839

If the draft rule requires liability insurance, a bond, or 840
any other financial responsibility instrument as a condition of 841
licensure, the agency shall conduct a diligent search to 842
determine if the liability insurance, bond, or other financial 843
responsibility instrument is readily available in the amounts 844
required as a condition of licensure, and, when the agency 845
transmits the draft rule to the common sense initiative office, 846
shall certify to the office that the search was conducted. 847

An agency may not file a proposed rule for legislative 848
review under division (D) of section 111.15 or division (C) of 849
section 119.03 of the Revised Code earlier than the sixteenth 850
business day after electronically transmitting the draft rule to 851
the common sense initiative office. 852

Sec. 121.951. (A) (1) Using the criteria listed in division 853
(A) of section 106.03 of the Revised Code, a state agency shall 854
amend or rescind rules identified in its base inventory of 855
regulatory restrictions prepared under section 121.95 of the 856
Revised Code as necessary to reduce the total number of 857
regulatory restrictions by thirty per cent, according to the 858
following schedule: 859

- (a) A ten per cent reduction not later than June 30, 2023; 860
- (b) A twenty per cent reduction not later than June 30, 861
2024; and 862
- (c) The thirty per cent reduction not later than June 30, 863
2025. 864
- ~~When~~ Except as provided in section 121.953 of the Revised 865
Code, when a state agency has achieved a reduction of any 866
percentage in regulatory restrictions, whether or not as 867
specified in this section, the state agency may not adopt or 868
maintain regulatory restrictions that would negate the 869
reduction. 870
- (2) Beginning July 1, 2025, a state agency that has not 871
achieved the specified thirty per cent reduction may not adopt a 872
new regulatory restriction unless it simultaneously removes two 873
or more other existing regulatory restrictions, until the 874
specified thirty per cent reduction has been achieved. The state 875
agency may not fulfill this requirement by merging two or more 876
existing regulatory restrictions into a single surviving 877
regulatory restriction. 878
- (3) A state agency that has achieved the specified thirty 879
per cent reduction may not adopt a new regulatory restriction 880
unless it simultaneously removes one or more other existing 881
regulatory restrictions. The state agency may not fulfill this 882
requirement by merging two or more existing regulatory 883
restrictions into a single surviving regulatory restriction. 884
- (4) A state agency is encouraged to continue to reduce 885
regulatory restrictions after it has achieved the specified 886
thirty per cent reduction. 887
- (B) (1) Not later than September 15, 2022, a state agency 888

shall prepare an historical report of its progress in reducing 889
regulatory restrictions over the period of time beginning when 890
the agency prepared its base inventory under section 121.95 of 891
the Revised Code and ending on June 30, 2022. Annually 892
thereafter, a state agency shall prepare an historical report of 893
its progress in reducing regulatory restrictions over the 894
preceding fiscal year. The state agency shall explain in the 895
report how it applied the criteria described in division (A) of 896
section 106.03 of the Revised Code to its determinations as to 897
which regulatory restrictions to amend or rescind. The state 898
agency shall include a revised inventory of regulatory 899
restrictions with the report. 900

(2) In the revised inventory, in addition to the 901
information required by section 121.95 of the Revised Code, the 902
state agency shall compute the percentage net reduction in 903
regulatory restrictions by subtracting the current number of 904
regulatory restrictions from the number of regulatory 905
restrictions identified in the base inventory and then dividing 906
the resulting number by the number of regulatory restrictions in 907
the base inventory. 908

(3) The state agency shall transmit the report 909
electronically to the joint committee on agency rule review. The 910
joint committee shall review the report and shall transmit it 911
electronically to the speaker of the house of representatives 912
and the president of the senate. The state agency shall continue 913
preparing and transmitting annual reports until it has reported 914
that it has achieved the required reduction in regulatory 915
restrictions. 916

Sec. 121.953. (A) ~~Effective—~~Except as provided in division 917
(C) of this section, effective July 1, 2025, the number of 918

regulatory restrictions in this state shall not exceed a number 919
of regulatory restrictions determined by the joint committee on 920
agency rule review in accordance with this section. The joint 921
committee shall determine that number by calculating, for each 922
agency, the number of regulatory restrictions identified by the 923
agency in the base inventory prepared under section 121.95 of 924
the Revised Code, minus the number of regulatory restrictions 925
that represents the percentage reduction the state agency is 926
required to achieve, and then totaling the resulting numbers for 927
all state agencies. The joint committee shall consider any 928
lessened required reductions under section 121.952 of the 929
Revised Code. 930

~~(B) A state agency shall contact the joint committee~~ 931
~~before submitting a proposed rule containing a regulatory~~ 932
~~restriction, and the joint committee shall determine whether~~ 933
~~adopting the regulatory restriction would cause the state to~~ 934
~~exceed the number of regulatory restrictions permitted under~~ 935
~~this section. A~~ Except as provided in division (C) of this 936
section, a state agency may not adopt a rule if by adopting the 937
rule the state agency would cause the number of regulatory 938
restrictions to exceed the state limit as determined by the 939
joint committee. 940

(C) Beginning on the effective date of this amendment, a 941
state agency may appear before the joint committee to show cause 942
why the agency should be permitted to adopt a rule that would 943
negate the reduction in regulatory restrictions achieved by the 944
agency under section 121.951 of the Revised Code or cause the 945
number of regulatory restrictions to exceed the state limit as 946
determined by the joint committee. If the joint committee 947
determines that the state agency has shown cause, the joint 948
committee may, by a vote of a majority of its members, permit 949

the state agency to adopt the rule notwithstanding section 950
121.951 of the Revised Code or the state limit on regulatory 951
restrictions determined by the joint committee. The joint 952
committee shall annually prepare a report summarizing all the 953
rules it has considered in accordance with this division. In the 954
report, the committee shall identify each instance in which the 955
committee authorized a state agency to adopt a rule containing a 956
regulatory restriction notwithstanding section 121.951 of the 957
Revised Code or the state limit on regulatory restrictions. The 958
joint committee shall transmit the report electronically to the 959
speaker of the house of representatives and the president of the 960
senate not later than the thirty-first day of December of each 961
year. 962

Sec. 4798.02. With respect to occupational regulation of 963
individuals, all of the following are the policy of the state: 964

(A) Occupational regulations shall be construed and 965
applied to increase economic opportunities, promote competition, 966
and encourage innovation. 967

(B) Where the state finds it is necessary to displace 968
competition, the state will use the least restrictive regulation 969
to protect consumers from present, significant, and 970
substantiated harms that threaten public health, safety, or 971
welfare. The policy of employing the least restrictive 972
regulation shall presume that market competition and private 973
remedies are sufficient to protect consumers. Where needed, 974
regulations shall be tailored to meet the predominate identified 975
need to protect consumers, as follows: 976

(1) If regulations are intended to protect consumers 977
against fraud, the appropriate state action shall be to 978
strengthen powers under deceptive trade practices acts. 979

(2) If regulations are intended to protect consumers 980
against unsanitary facilities and general health, safety, or 981
welfare concerns, the appropriate state action shall be to 982
require periodic inspections. 983

(3) If regulations are intended to protect consumers 984
against potential damages to third parties who are not party to 985
a contract between the seller and buyer, and other types of 986
externalities, the appropriate state action shall be to require 987
bonding or insurance. 988

(4) If regulations are intended to protect consumers 989
against potential damages by transient providers, the 990
appropriate state action shall be to require registration with 991
the secretary of state. 992

(5) If regulations are intended to protect consumers 993
against asymmetrical information between the seller and buyer, 994
the appropriate state action shall be to offer voluntary 995
certification, unless suitable, privately offered voluntary 996
certification for the relevant occupation is available. 997

As used in this division, "suitable" means widely 998
recognized as reflecting established standards of competency, 999
skill, or knowledge in the field. 1000

(6) If regulations are intended to facilitate governmental 1001
reimbursement for providing medical services for an emerging 1002
medical specialty, the appropriate state action shall be to 1003
require a specialty occupational license for medical 1004
reimbursement. 1005

(7) If regulations are required to perform services 1006
regulated by both federal laws and laws of this state, require 1007
the state to recognize an individual's occupational license from 1008

another United States state or territory to allow that 1009
individual to practice in this state, and are based on uniform 1010
national laws, practices, and examinations that have been 1011
adopted by at least fifty United States states and territories, 1012
the appropriate state action shall be to require an occupational 1013
license. 1014

For purposes of this division, a uniform national law is 1015
one that has been adopted in a substantially equivalent manner 1016
in at least fifty United States states and territories. 1017

(C) An occupational regulation may be enforced against an 1018
individual only to the extent the individual sells goods and 1019
services that are included explicitly in the statute that 1020
defines the occupation's scope of practice. 1021

(D) Nothing in this chapter is intended to restrict an 1022
occupational licensing board from requiring, as a condition of 1023
licensure or renewal of licensure, that an individual's personal 1024
qualifications include obtaining or maintaining certification 1025
from a private organization that credentials individuals in the 1026
relevant occupation. 1027

By establishing and executing the policies in this 1028
section, in concert with section ~~107.56~~101.377 of the Revised 1029
Code, the state intends to ensure that occupational licensing 1030
boards and board members will avoid liability under federal 1031
antitrust laws. 1032

Section 2. That existing sections 101.64, 103.0511, 1033
106.02, 106.03, 106.031, 106.032, 107.51, 107.52, 107.53, 1034
107.54, 107.55, 107.56, 107.57, 107.62, 107.63, 121.81, 121.82, 1035
121.951, 121.953, and 4798.02 of the Revised Code are hereby 1036
repealed. 1037

Section 3. That section 107.61 of the Revised Code is 1038
hereby repealed. 1039

Section 4. (A) The amendment by this act of sections 1040
101.64, 103.0511, 106.03, 107.51, 107.52, 107.53, 107.54, 1041
107.55, 107.56, 107.57, 107.62, 107.63, 121.81, 121.82, and 1042
4798.02 of the Revised Code takes effect six months after the 1043
effective date of this section. 1044

(B) Section 3 of this act takes effect six months after 1045
the effective date of this section. 1046

(C) The amendment to division (A) (2) of section 106.031 of 1047
the Revised Code applies on and after the date that is six 1048
months after the effective date of this section. 1049

Section 5. On the date that is six months after the 1050
effective date of this section, the Common Sense Initiative 1051
Office established within the Office of the Governor under 1052
former Section 107.61 of the Revised Code is abolished. All 1053
records of the Common Sense Initiative Office established within 1054
the Office of the Governor, and all of its other assets and 1055
liabilities, shall be transferred to the Common Sense Initiative 1056
Office established within the legislative branch of government 1057
under Section 101.371 of the Revised Code. The Common Sense 1058
Initiative Office established within the legislative branch of 1059
government is successor to, and assumes the obligations of, the 1060
Common Sense Initiative Office established within the Office of 1061
the Governor. 1062

Any business commenced, but not completed, by the Common 1063
Sense Initiative Office established within the Office of the 1064
Governor or the Chief of that office on the date that is six 1065
months after the effective date of this section shall be 1066

completed by the Director of the Common Sense Initiative Office 1067
established within the legislative branch of government in the 1068
same manner, and with the same effect, as if completed by the 1069
Common Sense Initiative Office established within the Office of 1070
the Governor or by the Chief of that office. No validation, 1071
cure, right, privilege, remedy, obligation, or liability is lost 1072
or impaired by reason of the transfer required by this section. 1073

Subject to the authority of the Director of the Common 1074
Sense Initiative Office under section 101.371 of the Revised 1075
Code to appoint and remove staff, all of the employees of the 1076
Common Sense Initiative Office established within the Office of 1077
the Governor are transferred to the Common Sense Initiative 1078
Office established within the legislative branch and retain 1079
their positions and all of the benefits accruing thereto. 1080

Wherever the Chief or the Common Sense Initiative Office 1081
established within the Office of the Governor is referred to in 1082
any law, contract, or other document, the reference shall be 1083
deemed to refer to the Director or the Common Sense Initiative 1084
Office established within the legislative branch, whichever is 1085
appropriate. 1086

No action or proceeding pending on the date that is six 1087
months after the effective date of this section is affected by 1088
the transfer, and any such action or proceeding shall be 1089
prosecuted or defended in the name of the Director or the Common 1090
Sense Initiative Office established within the legislative 1091
branch. In all such actions and proceedings, the Director or the 1092
Common Sense Initiative Office established within the 1093
legislative branch, on application to the court, shall be 1094
substituted as a party. 1095