

***** DRAFT - NOT YET FILED *****

1301:6-3-23

Enforcement powers.

- (A) Hearings conducted by the division pursuant solely to section 1707.23 of the Revised Code shall be investigative in nature with attendance restricted by the division to those persons whose presence is necessary for the efficient conduct of the hearing, and shall be conducted by an attorney designated by the division who is admitted to the practice of law in Ohio.
- (B) The division may, in its sole discretion, prepare a transcript of any investigative hearing at its expense. A copy of any transcript prepared at the expense of the division shall be furnished to the witness at the expense of the witness upon written request. No photographic recording or transceiving devices except those acceptable to the division shall be permitted at investigative hearings.
- (C) Every witness in an investigative hearing shall be afforded an opportunity to make a statement. The witness shall be advised of the right to secure legal counsel and to have counsel present during questioning.
- (D) The rules of evidence applicable in judicial proceedings shall apply to investigative hearings by the division so far as practicable, taking into consideration the investigative and administrative character of such hearings and the powers of investigation of the division.
- (E) No rule or adjudication of the division shall result from an investigative hearing unless an opportunity for a hearing is afforded in accordance with sections 119.01 to 119.13 of the Revised Code.
- (F) For the purposes of division (C) of section 1707.23 of the Revised Code, "party" or "parties" to an investigative hearing are those persons required by the division to testify at the hearing.

Five Year Review (FYR) Dates:

Certification

Date

Promulgated Under:	119.03
Statutory Authority:	1707.20
Rule Amplifies:	1707.23
Prior Effective Dates:	2/22/80, 12/31/75, 1/17/92