

Rule Summary and Fiscal Analysis (Part A)

Agency Name **Ohio Department of Commerce, Division of State Fire Marshal**

Division Contact **Tracie Boyd**

Agency Mailing Address (Plus Zip) **8895 East Main Street, Reynoldsburg, Ohio 43068**

Phone **(614) 728-5460** Fax **(614) 728-5168**

Email **Tracie.Boyd@com.state.oh.us**

Rule Number **1301:7-7-01** TYPE of rule filing **Amended**

Rule Title/Tag Line **Section 118 hotel and SRO facility license**

RULE SUMMARY

1. Is the rule being filed for five year review (FYR)? **No**
2. Are you proposing this rule as a result of recent legislation? **Yes**
3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **ORC 3731.02**
4. Statute(s) authorizing agency to adopt the rule: **ORC 3731.02**
5. Statute(s) the rule, as filed, amplifies or implements: **ORC 3731.02(E)**
6. State the reason(s) for proposing (i.e., why are you filing,) this rule: **The state fire marshal proposes to amend this rule for the purpose of creating a "Safe Stay Hotel" designation and setting forth the standards a licensed hotel must meet to achieve and maintain that designation and the procedures the state fire marshal shall use to publish and maintain a registry of hotels receiving that designation.**
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: **The rule sets forth licensure standards for hotel and SRO facilities. The proposed change to the rule is to add new language creating a "Safe Stay Hotel" designation by the State Fire Marshal for hotels that maintain compliance with the Ohio Fire Code and applicable sanitary standards. The proposed language also sets forth the procedures the state fire marshal shall use to publish and maintain a registry of hotels receiving the "Safe Stay Hotel" designation. The purpose of this designation is to incentivize hotels to maintain compliance with the applicable standards and provide to the citizens of and visitors to the State of Ohio information regarding what hotel facilities within the**

state of Ohio are operating within applicable standards and in conformance with the criteria set forth in the rule.

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: **N/A**
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: **N/A**
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: **N/A**
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: **N/A**
12. Five Year Review (FYR) Date: **11/01/2016**

(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 proposed rule will not increase/decrease revenues/expenditures for the agency.**
14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule: **N/A**

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: **There is no cost to comply for affected persons.**
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? **Yes.**

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? **Yes, this rule adds a compliance incentive program for existing licensees.**

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. A hotel may choose to not participate in the Safe Stay program created by the amendment.**

C.) Does this rule require specific expenditures or the report of information as a condition of compliance? **No.**