



Department of Administrative Services

Mike DeWine, Governor
Jon Husted, Lt. Governor

Matt Damschroder, Director

March 20, 2020

RE: Rule Repeal Notice – Minority Set Aside Review Board – ORC Repealed in 2004

You are receiving this message because the Department of Administrative Services is proposing to rescind certain rules of the Ohio Administrative Code that govern the Minority Set Aside Review Board. We are rescinding these rules, Rules 123:2-15-02 through 123:2-15-06, because the statutory authority establishing this Board and authorizing the creation of these rules, was repealed in 2004 by House Bill 216 of the 125th General Assembly. The primary function of the Board was to grant waivers to construction contractors who were unable to comply with obligations to set aside a certain percentage of their public construction contracts for minority-owned businesses. These set aside obligations were in former 123.151(C), which was also repealed in the same bill. The rules that are being rescinded established procedures for the Board to operate, and for contractors to submit documentation to the Board to obtain waivers.

We are seeking public input on the planned rescission of these rules pursuant to the requirements of R.C. 121.83, which requires state agencies to justify any adverse impact on the business community (as defined by R.C. 107.52), and provide opportunity for the affected public to provide input on the proposed rule action.

Here are links where you can review [the rules being rescinded](#), and [the Business Impact Analysis](#); each of the above may also be found on the Equal Opportunity Division's webpage, www.das.ohio.gov/eod.

If you wish to comment on the proposed rules or the Business Impact Analysis, please send your comments to the Equal Opportunity Division of the Department of Administrative Services at das.mbe-edge@das.ohio.gov, copying the Common Sense Initiative Office at CSIPublicComments@governor.ohio.gov by **5:00 p.m. April 20, 2020**.

Thank you.

Eric M. Seabrook
Deputy Director, Equal Opportunity Division
Department of Administrative Services