



MIKE DEWINE
GOVERNOR
STATE OF OHIO

Executive Order 2021-15D

The Emergency Adoption of Rule 3301-107-01 of the Ohio Administrative Code
by the Ohio Department of Education

WHEREAS, the 134th General Assembly established the afterschool child enrichment (“ACE”) educational savings account program in Amended Substitute House Bill 110; and

WHEREAS, Section 3310.70 of the Ohio Revised Code requires the Department of Education to adopt emergency rules that prescribe procedures for the establishment of ACE educational savings accounts for fiscal years 2022 and 2023 upon the request of the parent or guardian of an eligible student; and

WHEREAS, the Department of Education has approved the adoption of rule 3301-107-01 of the Ohio Administrative Code; and

WHEREAS, Section 119.03(G) of the Ohio Revised Code authorizes the Governor, on the request of a State agency, to suspend the normal rule making procedures with respect to specific rules when an emergency exists necessitating the immediate adoption, amendment, or rescission of such rules. When such a determination is made, the agency may immediately adopt, amend, or rescind such rules, but the rules are only valid for one hundred and twenty (120) days; and

WHEREAS, the Ohio Department of Education has requested a determination whether an emergency exists that requires the adoption of rule 3301-107-01 on an emergency basis and that would therefore permit the Ohio Department of Education, pursuant to Section 3310.70 of the Ohio Revised Code, to immediately adopt this rule.

NOW THEREFORE, I, Mike DeWine, Governor of the State of Ohio, have determined, upon the request of the Ohio Department of Education, that an emergency exists requiring the immediate adoption of rule 3301-107-01 of the Ohio Administrative Code.

I hereby order that the procedures prescribed by Section 119.03 of the Ohio Revised Code with respect to the adoption of the specified rule be suspended and that the Ohio Department of Education be permitted to adopt the rule immediately by filing it electronically with the Secretary of State, the Director of the Legislative Service Commission, and the Joint Committee on Agency Rule Review (“JCARR”).

Furthermore, I hereby order that this Executive Order be filed in electronic form with the Ohio Department of Education, the Secretary of State, the Director of the Legislative Service Commission, and JCARR.

I signed this Executive Order on October 28, 2021, in Columbus, Ohio, and it will expire one hundred and twenty (120) days from the effective date of the emergency rule, or upon the adoption of the rule through the normal JCARR process, whichever is sooner.



Mike DeWine, Governor

ATTEST:

Frank LaRose, Secretary of State

