

## **POLICY STATEMENT FOR EXECUTIVE ORDER 2008-04S**

Executive Order 2008-04S, “Implementing Common Sense Business Regulation,” paragraph 5(F) provides as follows:

“Agencies should when appropriate waive penalties for first-time or isolated paperwork or procedural regulatory non-compliance. Each cabinet agency, board and commission shall prepare and publish on its website, a policy describing the circumstances in which such waivers shall be granted.”

The Ohio Department of Commerce is committed to Governor Strickland’s Executive Order 2008-04S and to the Department’s mission of *enhancing Ohio’s future by providing fair, consistent regulation that balances maximum benefit for the public with minimal intrusion on business.*

In order to assist the regulated industries served and in accordance with EO 2008-04S and HB 285, the Department of Commerce will:

- Follow a systematic process for reviewing existing regulations and developing new regulations, incorporating its stakeholders into the review process;
- Notify customers of for minor, procedural regulatory or paperwork violations prior to initiating enforcement actions; and
- Educate customers by explaining fully the business process that supports the regulation;

Generally, no sanctions will be imposed for first-time minor paperwork violations if the violator corrects the issue within a reasonable amount of time as specified by Commerce, unless the Director determines any of the following:

- the violation poses a threat to the public interest;
- the violation poses a direct danger to the public health or safety;
- the violation involves potential criminal conduct;
- the violation presents a risk of severe environmental harm;
- the violation results in a financial loss to an employee;
- the violation impedes competition of the regulated industry.