



## A Snapshot of Ohio Regulation in 2018

246,852 Restrictions, 15.2 Million Words, and 21 Weeks to Read

*by James Broughel and Jonathan Nelson*

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It would take an ordinary person more than two and a half years to read the entire *US Code of Federal Regulations* (CFR), which contained more than 104 million words in 2016.<sup>1</sup> The sheer size of the CFR poses a problem not just for the individuals and businesses that want to stay in compliance with the law but also for anyone interested in understanding the consequences of this massive system of rules. States also have sizable regulatory codes, which add an additional layer to the large body of federal regulation. A prime example is the online version of the 2018 *Ohio Administrative Code* (OAC).<sup>2</sup>

Researchers at the Mercatus Center at George Mason University developed State RegData,<sup>3</sup> a platform for analyzing and quantifying state regulatory text. State RegData captures information in minutes that would take an ordinary person hours, weeks, or even years to obtain. For example, the tool allows researchers to identify the industries that state regulation targets most by connecting text relevant to those industries with restrictive word counts. Known as regulatory restrictions, the words and phrases *shall*, *must*, *may not*, *prohibited*, and *required* can signify legal constraints and obligations.<sup>4</sup> As shown in figure 1, the three industries with the highest estimates of industry-relevant restrictions in the 2018 OAC are chemical manufacturing, food manufacturing, and animal production and aquaculture.

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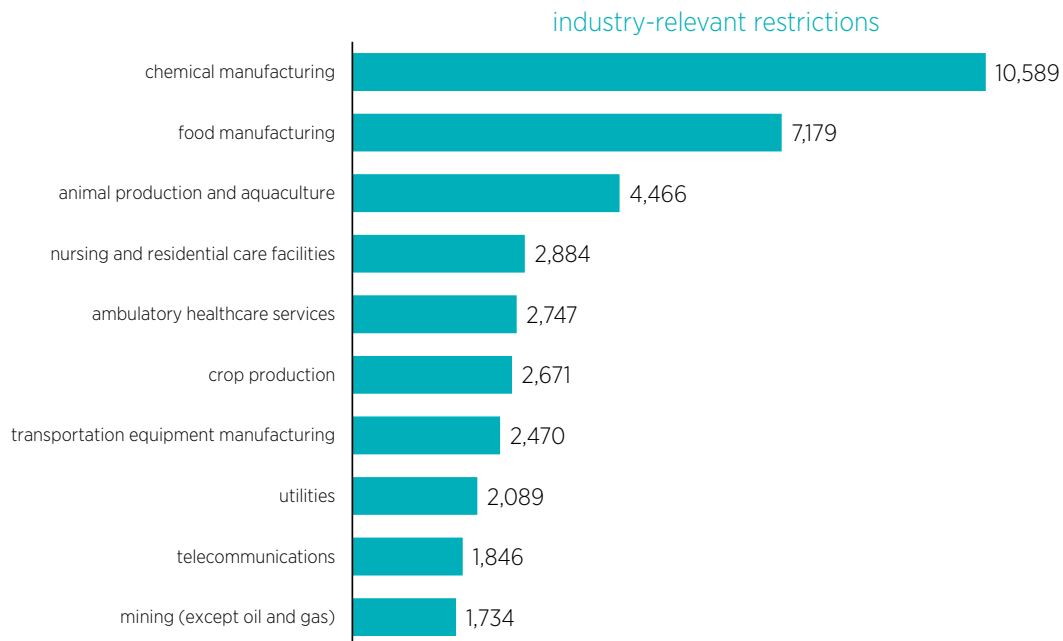
1. This assumes that a person reads 300 words per minute for 40 hours per week with two weeks of vacation per year. See “RegData 3.0,” QuantGov; Patrick A. McLaughlin, Oliver Sherouse, Daniel Francis, Michael Gasvoda, Jonathan Nelson, Stephen Strosko, and Tyler Richards, “RegData 3.0 User’s Guide,” accessed February 2, 2018, <https://quantgov.org/regdata/users-guide/>.

2. Ohio Laws and Rules, *Ohio Administrative Code*, accessed January 3, 2018.

3. State RegData is part of a broader project called QuantGov, which seeks to quantify legal text. See Patrick A. McLaughlin and Oliver Sherouse, “QuantGov—A Policy Analytics Platform,” QuantGov, December 20, 2017.

4. Restrictions can also occur in legal text for other purposes, such as for definitional purposes. At times, restrictions may relate to government employees rather than the private sector.

Figure 1. Top 10 Industries Targeted by Ohio State Regulation in 2018



Source: State RegData, “Ohio,” <http://www.quantgov.org/data/>.

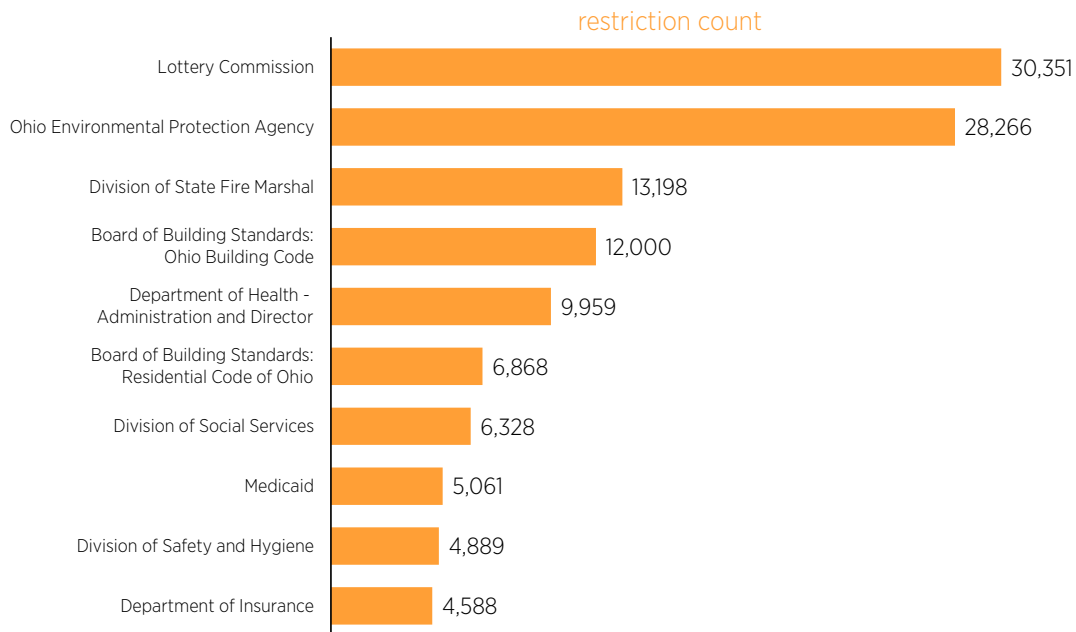
State RegData also reveals that the OAC contains 246,852 restrictions and 15.2 million words. It would take an individual about 847 hours—or more than 21 weeks—to read the entire OAC. That’s assuming the reader spends 40 hours per week reading and reads at a rate of 300 words per minute. By comparison, there are more than 1.08 million additional restrictions in the federal code.<sup>5</sup> Individuals and businesses in Ohio must navigate these different layers of restrictions to remain in compliance.

The titles of the OAC are organized by regulatory commission, program, board, or agency. Figure 2 shows that the title of the OAC associated with the Lottery Commission contains more than 30,000 restrictions. By this measure, this commission is the biggest regulator in Ohio. Coming in second is the Ohio Environmental Protection Agency, with more than 28,000 restrictions.

Federal regulation tends to attract the most headlines, but it is important to remember that the more than 104 million words and 1.08 million restrictions in the federal code significantly understate the true scope of regulation in the United States. States like Ohio write millions of additional words of regulation and hundreds of thousands of additional restrictions. State-level requirements carry the force of law to restrict individuals and businesses just as federal ones do.

5. “RegData 3.0”; McLaughlin et al., “RegData 3.0 User’s Guide.”

Figure 2. Top 10 Regulators in Ohio in 2018



Source: State RegData, "Ohio," <http://www.quantgov.org/data/>.

Researchers are only beginning to understand the consequences of the massive and growing federal regulatory system on economic growth and well-being in the United States.<sup>6</sup> Meanwhile, the effects of state regulation remain largely unknown. If this snapshot of Ohio regulation in 2018 is a good indicator, then the states are also active regulators, suggesting that the full impact of regulation on society is far greater than that of federal regulation alone.

6. See, for example, Bentley Coffey, Patrick A. McLaughlin, and Pietro Peretto, "The Cumulative Cost of Regulations" (Mercatus Working Paper, Mercatus Center at George Mason University, Arlington, VA, 2016).

#### ABOUT THE AUTHORS

James Broughel is a research fellow for the State and Local Policy Project at the Mercatus Center at George Mason University. Broughel has a PhD in economics from George Mason University. He is also an adjunct professor of law at the Antonin Scalia Law School.

Jonathan Nelson is a Program Associate for the Program for Economic Research on Regulation at the Mercatus Center at George Mason University. He received his BA in economics from Grove City College.

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