

**Rule Summary and Fiscal Analysis (Part A)****Department of Agriculture**

Agency Name

Division

**David E Miran**

Contact

**8995 East Main Street Reynoldsburg OH  
43338-0000**

Agency Mailing Address (Plus Zip)

**614-728-6390**

Phone

Fax

**david.miran@agri.ohio.gov**

Email

**901:1-17-07**

Rule Number

**AMENDMENT**

TYPE of rule filing

Rule Title/Tag Line

**Horses, mules, asses, ponies, and other equidae.****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? **No**3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**4. Statute(s) authorizing agency to adopt the rule: **941.03**5. Statute(s) the rule, as filed, amplifies or implements: **941.10, 941.25**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

Pursuant to R.C. 941.10, the director of agriculture may adopt and enforce rules to govern the importation and movement of animals. The purpose of this rule package is to update rules regulating the importation of animals into the state.

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:

Rule 901:1-17-07 sets forth requirements for the importation and shipment of horses, mules, asses, ponies, and other equidae into the state of Ohio. The amendment adds the ability of the owner/shipper to substitute an owner/shipper statement in lieu of a certificate of veterinary inspection when equidae of twelve months of age or more are consigned to a livestock market licensed under Chapter 943 with an approved veterinary inspector present.

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:

Pursuant to section 121.76 of the Revised Code, the code sections incorporated into this rule are exempt from compliance with sections 121.71 to 121.74 of the Revised Code.

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:

Not applicable.

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:

*Not Applicable.*

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:

*Not Applicable.*

12. Five Year Review (FYR) Date: **8/13/2015**

(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 will have no impact on revenues or expenditures.

\$0.00

Not applicable.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not applicable.

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:

Rule 901:1-17-07 allows equidae producers to substitute an owner/shipper statement in lieu of a CVI for equidae 12 months of age or more which have been consigned to a livestock market. There is no adverse impact from this rule as it does not increase fees, fines, or add employer time for compliance.

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**

Animals must be accompanied by either a certificate of veterinary inspection or an owner/shipper statement prior to entry into Ohio.

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? **Yes**

Importing animals in violation to this rule will subject them to immediate quarantine and possible extermination.

C.) Does this rule require specific expenditures or the report of information as a condition of compliance? **Yes**

Yes, a certificate of veterinary inspection (CVI) must be completed prior to entry into the state.