

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 901:1-8-03
Rule Type: Amendment
Rule Title/Tagline: Identification.
Agency Name: Department of Agriculture
Division: Animal Industry
Address: 8995 E. Main Street Reynoldsburg OH 43068
Contact: Jacquelyn Rachelle Keller-Potvin **Phone:** 614-728-6340
Email: Jacquelyn.Keller-Potvin@agri.ohio.gov

I. Rule Summary

1. **Is this a five year rule review? Yes**
 - A. **What is the rule's five year review date? 2/23/2022**
2. **Is this rule the result of recent legislation? Yes**
 - A. **If so, what is the bill number, General Assembly and Sponsor? HB 506 - 132
- Brian Hill**
3. **What statute is this rule being promulgated under? 119.03**
4. **What statute(s) grant rule writing authority? 956.03, 956.21**
5. **What statute(s) does the rule implement or amplify? 956.01, 956.19, 956.20, 956.21, 956.22, 956.23**
6. **What are the reasons for proposing the rule?**

The rules contained in this rule package are being amended to assist with consistency between Administrative Code and Revised Code and in accordance with the 5 year rule review process. Since the last revision of the rules, the Revised Code has been amended by House Bill 506 in 2018 and House Bill 166 in 2019. House Bill 506 revised multiple sections of Chapter 956 of the Revised Code to revise the law governing high volume dog breeders and other dog-related professionals and facilities. House Bill 166,

commonly known as the FY 2020-2021 Operating Budget, amended sections 956.01, 956.031, 956.051, and 956.20 of the Revised Code. Both House Bills initiated the large number of changes necessary in this proposed rule package.

7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

Rule 901:1-8-03 outlines the microchip requirements for all dogs displayed, offered for sale, delivered, bartered, auctioned, brokered, given away, transferred, or sold by a pet store. The rule is being amended to include dog brokers in the requirement for identification to ensure consistency with paragraph (A)(14) of section 956.03 of the Revised Code.

8. Does the rule incorporate material by reference? No

9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.

Not Applicable

10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

Not Applicable

II. Fiscal Analysis

11. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.

This will have no impact on revenues or expenditures.

0.00

Not Applicable.

12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

A pet store or dog broker will have to microchip the dogs before displaying, offering for sale, bartering, auctioning, brokering, giving away, transferring, or selling. The cost of the microchipping will vary based on the number of dogs in need of a microchip.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No
14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No
15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not Applicable.

III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? Yes
17. Does this rule have an adverse impact on business? Yes
 - A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No
 - 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

Failure to comply with this rule may subject individuals to civil penalties pursuant to ORC 956.12 or criminal penalties pursuant to ORC 956.99.
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes

This rule requires that all dogs handled by a pet store or dog broker be microchipped.
 - D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

A. How many new regulatory restrictions do you propose adding?

Not Applicable

B. How many existing regulatory restrictions do you propose removing?

Not Applicable