

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 901:1-4-05

Rule Type: Amendment

Rule Title/Tagline: Family *Felidae*; common names: cheetah, lion, tiger, jaguar, leopard, snow leopard, puma, caracal, serval, bobcat, canada lynx, eurasian lynx, iberian lynx, sunda clouded leopard, and clouded leopard.

Agency Name: Department of Agriculture

Division: Animal Industry

Address: 8995 East Main Street Reynoldsburg OH 43068

Contact: David E Miran

Email: david.miran@agri.ohio.gov

Phone: 614-728-6390

I. Rule Summary

1. Is this a five year rule review? Yes

A. What is the rule's five year review date? 7/2/2019

2. Is this rule the result of recent legislation? No

3. What statute is this rule being promulgated under? 119.03

4. What statute(s) grant rule writing authority? 935.17

5. What statute(s) does the rule implement or amplify? 935.12, 935.17

6. What are the reasons for proposing the rule?

This rule is up for five year rule review.

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

901:1-4-05 establishes species care standards for the Felidae family. This rule has been amended to remove "bobcat" from the rule. Pursuant to a decision by the Tenth

Appellate District, "bobcats" are not included in the definition of "dangerous wild animals." Therefore, the animal has been removed from the rule.

- 8. Does the rule incorporate material by reference? Yes**
- 9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.**

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.

- 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. As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will have no impact on revenues or expenditures.

0.00

There are currently no bobcats under license by the Department.

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

The exact adverse impact varies widely for each permit holder or applicant due to the diverse nature of the animals regulated by these rules and the varying individual circumstances of each permit holder. When possible, the rules were written to be outcome based and allow the permit holder a great deal of flexibility and personal choice in determining how to meet the standards. The cost of permits is low, especially when compared to the cost to feed and house the given number of dangerous wild animals and restricted snakes that may be in a permit holder's possession. The hours a permit holder would spend cleaning housing and ensuring the housing and current

care is to specifications in the rules would depend on how many animals the permit holder possesses.

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

III. Common Sense Initiative (CSI) Questions

15. Was this rule filed with the Common Sense Initiative Office? Yes
16. 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? Yes

All individuals that possess a dangerous wild animal or restricted snake must possess a permit issued by the Department.

- 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 these rules could subject the violator to civil or criminal penalties.

- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No